

KANSAS

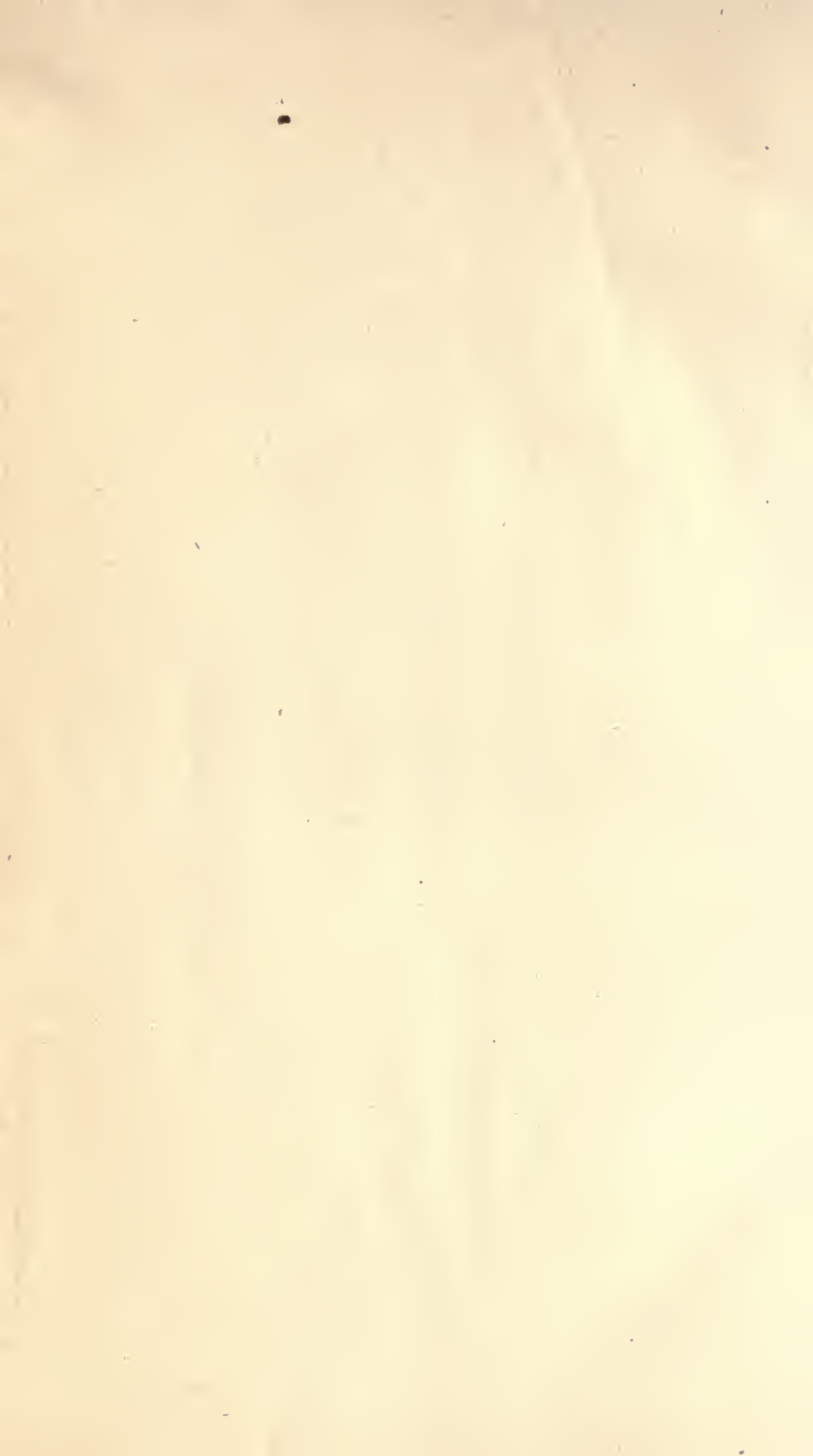
SPEER (JOHN) Life of General James H Lane. "The Liberator of Kansas", with Corroborative Incidents of Pioneer History. Portrait and plates. 352 pp., 8vo, cloth. Garden City, Kansas, 1897.

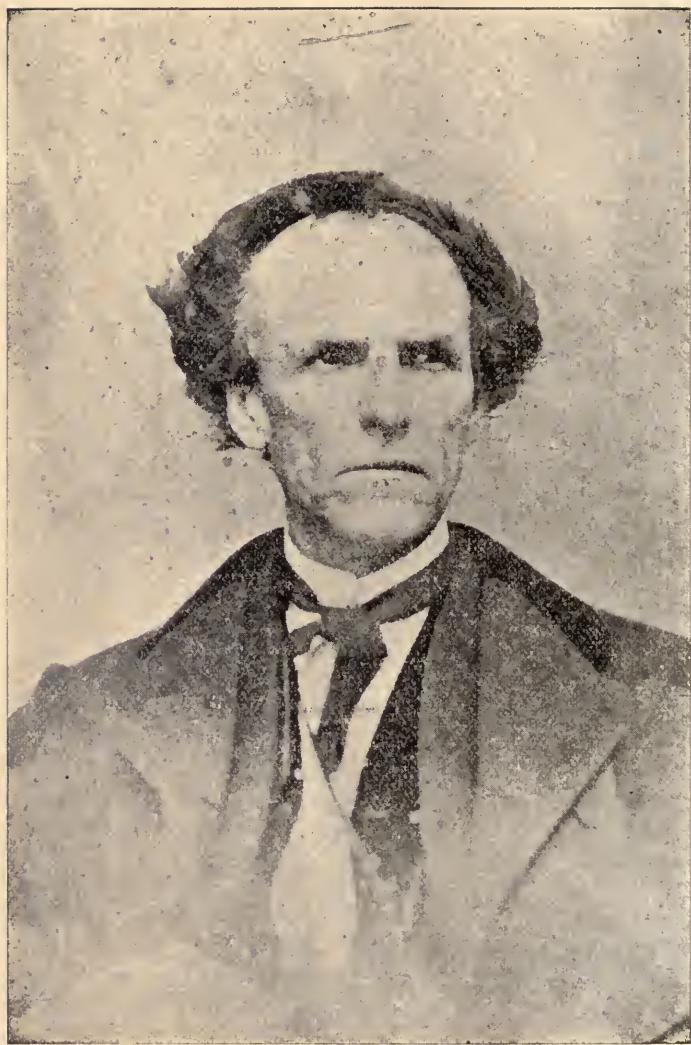
An important contribution. This work is scarce.



M''

\$4000





GENERAL JAMES H. LANE.

LIFE
OF
GEN. JAMES H. LANE

"The Liberator of Kansas"

WITH
Corroborative Incidents of Pioneer History



BY JOHN SPEER
(SECOND EDITION.)



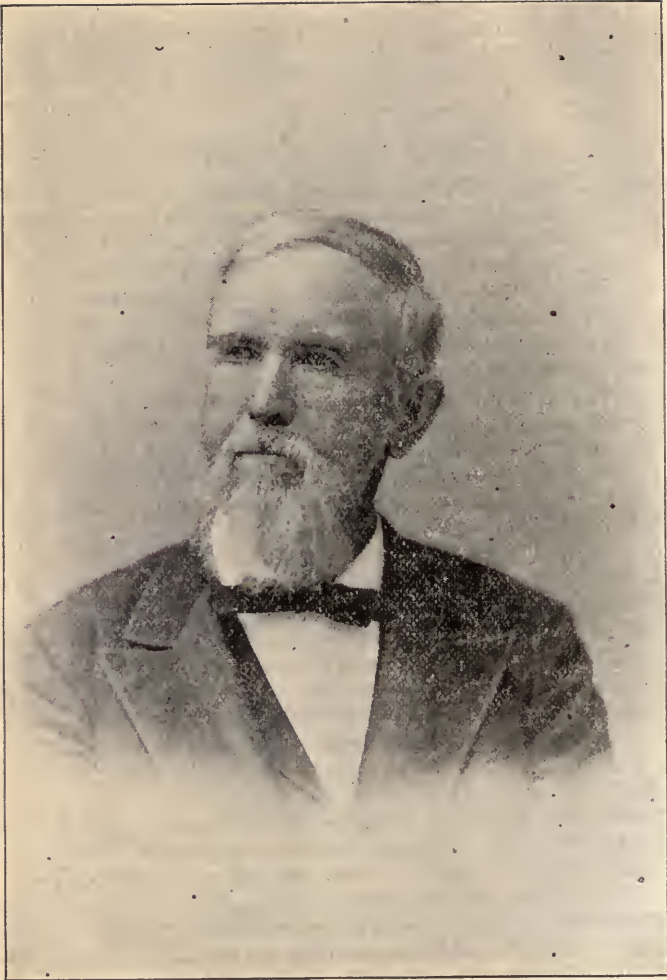
GARDEN CITY, KAS
JOHN SPEER, PRINTER.
1897.

Entered according to Act of Congress, in the year
1896, by JOHN SPEER, in the office of
the Librarian of Congress,
at Washington.

F
685
L2457
1897

TABLE OF CONTENTS.

CHAPTER I. Birth, Parentage and Early Career,	Page 9
II. Repeal of Missouri Compromise—Excitement over Slavery—Outrages on Settlers,	17
III. Movement for a Constitutional Convention,	34
IV. The Wakarusa War—Attempted Subjugation,	49
V. Speeches that Still Speak,	66
VI. Continued Outrages in the Winter of 1855-6,	72
VII. Anecdotes of Lane and his Compeers,	84
VIII. General Lane's Campaign for Fremont,	101
IX. Lane's Military Defense of Kansas in 1856.	109
X. The Free-State Triumph,	135
XI. "A Turbulent and Dangerous Military Leader,"	152
XII. Gov. Denver's Assault upon Lane and his Staff,	163
XIII. The Leavenworth Constitution,	175
XIV. The Homicide of Gaius Jenkins,	187
XV. A Period Fruitful of Important Results,	219
XVI. Elected to the United States Senate,	227
XVII. Bivouac in the Presidential Mansion,	234
XVIII. Gen. Denver's Kansas Campaign,	242
XIX. Delahay's Appointment as United States Judge,	244
XX. Gen. Lane on the Vigorous Prosecution of the War and on Colored Troops,	247
XXI. Quantrill's Massacre at Lawrence,	265
XXII. Location of the Union Pacific Railway,	272
XXIII. The Second Nomination of Lincoln,	279
XXIV. The Price Raid and Political Campaign of 1864,	285
XXV. Senator Ingalls on Lane—Lane's Southern Expedi- tion—The Henderson Amendment,	302
XXVI. The Causes of General Lane's Death,	313
XXVII. Congressional Eulogies upon his Death,	317
XXVIII. Glimpse at Events—Lane's Acts and Characteristics,	327
XXIX. Addenda on the Death of Gaius Jenkins,	337
XXX. Lane and Army Contracts,	340
XXXI. More About the White-House Encampment,	343
XXXII. Anecdotes and Incidents Picked Up by the Way,	347



JOHN SPEER.

PREFACE.

The first sentence in the preface to Grant's Memoirs reads: "Man proposes and God disposes." If this is true of Grant's great work in the American conflict, how much more emphatic the sentence seems when applied to the earlier struggle where the whole question of slavery progression was fought over and the victory locally won which finally warranted and demanded the Emancipation Proclamation and culminated in the surrender at Appamattox, and the overthrow of the institution. This victory was won in Kansas; and I write of one who led the forlorn hope against an oligarchy which had ruled the Nation from its foundation, and up to that period seemed strengthening from year to year, till some of its leaders boasted in the halls of Congress that they would live to call the roll of their slaves in the shadow of Bunker Hill Monument. When James H. Lane threw his life, his fortunes and his honor into the conflict, the people of Kansas were but a handful of unorganized men with hostile Indians on the west and more hostile white men on the east. This seems strange language now; but previously to Lane's enlistment in the cause an enactment had been placed upon our statute books by involders of our country warranting this declaration, and the public sentiment of our oppressors more than sustained it in barbarity.

"Man proposes and God disposes" truly. The gift of prophecy never gave to the pioneers of Kansas a twinkle of light upon what was to come. No human being had predicted the results nor foreseen the outcome—the bravest struggle and the grandest outcome in the history of the world.

My opportunities in forty-three years of Kansas life have brought to me quite a number of solicitations to write on the occurrences of that period; and among them I venture to quote from two characteristic but antagonistic great men: one, Rev. SAMUEL ORCOTT, of New Haven; the other, Hon. JAMES N. BURNES, of St. Joseph, Mo.—the Connecticut historian and divine and the Missouri statesman, written when I was engaged on the Kansas Biographical Dictionary. Mr. Orcott says:

NEW HAVEN, CONN., Aug. 11, 1879.

MR. J. SPEER—Dear Sir: I like the appearance of the sheets you have sent me. The whole appearance of your work is agreeable and pleasing. I have no objection to the work, and like it very much, except John Brown's picture, in which the true character is gone, as to my thinking. The article as a whole is perfect—the medal picture fitting most charmingly. I should be glad to commend you to any fair opportunity to do something more for humanity and the future. I have not seen a history of Kansas. If there is none full and complete, you would do well to go at it. No history of a Western State would sell in the East like that, in my judgment. Is not now the time? Connect the leading families with their ancestors; fill it out carefully with historical notes and the like, and you would be in time, if there is no historical work on that State. Very truly,
SAMUEL ORCOTT.

Col. BURNES, in a very complimentary letter in regard to Kansas, and Missouri history, dated December 6, 1877, said:

Having taken the liberty of saying this much, I feel that it will not be considered impertinent for me to add, that a book of anecdotes and incidents in the life you have lived, bearing upon the social and private life of the public men of the border, laughable, ridiculous non-partisan—just such stories as you can tell in a social way ALL DAY LONG—will give you such pecuniary rewards as make book-writing a success. Your idea may be far better than mine; but I thought it might not be hurtful to have you think the matter over carefully, as to the elements and character of your book. The world is not interested much in any of the men, great or small, who have "flourished or faded" in our two States; but it is always interested in a good story, and will buy tickets liberally in a lottery of laughter.

In the present effort I am taking the advice of neither of these distinguished men; and only quote to show some of the incentives to write. I am attempting what I conceive to be justice to a great man with many eccentricities. I once met a negro emancipated by Lane's command, and asked him how he came to be free. His quick response was: "God sent Jim Lane and his army for me—I don't care what anybody says." This faith of the poor slave differed very little from Grant's: "Man proposes and God disposes." If no other good resulted from the Mexican War, which was man's "proposal" for slavery extension, than the raising up of Jim Lane, as he called himself, as a "Crusader of Freedom," the whole civilized world now prays, "The Lord's will be done."
JOHN SPEER.

LIFE OF GEN. JAMES H. LANE.

CHAPTER I.

BIRTH, PARENTAGE AND EARLY CAREER.

In attempting a sketch of this remarkable man, we must remember the circumstances and conditions of the period in which he acted. Born at Lawrenceburgh, Indiana, June 22, 1814, his very birth was in the midst of the excitements and demoralization following the War of 1812. The first sounds upon his infant ear were the shouts and revelry of the rude Hoosiers and wilder Kentuckians cheering and drinking in honor of the Battle of New Orleans and in congratulations over the Treaty of Ghent. And yet this man, the child of the frontier of civilization, the advance herald of two wars, the leader in the Kansas Conflict against Slavery, was one of the most abstemious men I ever saw. So remarkable was this as a characteristic, that, in speaking of it to his daughter, she expressed surprise at the idea that he ever partook of liquor at all.

It was my privilege to have spent a portion of my life (in 1842) at Corydon, Indiana, the capital of that State from 1816 till 1824, and to learn much by tradition of his parentage, where his parents spent much of their

time after the admission of Indiana as a State in 1816. The father, Hon. Amos Lane, was the first Speaker of the Indiana House of Representatives, and was afterwards a Judge and member of Congress; and, at that time, anecdotes were almost as numerous and unique of him as of the son in the pioneer days of Kansas. Many persons were there then living who had intimately known both the parents. The father had the reputation of the trickiness of the wily politician, and the mother that of a lady eminent for piety, amiability, charity and every womanly virtue—a member of the Methodist Episcopal church; and both these attributes of character were brought to Kansas where the first marked Methodist emigration settled; and at no place were Lane's triumphs of oratory and political success greater than at Baldwin City among that good people. The father was of Scotch-Irish descent—the mother of New England Puritanical stock. She was descended from the Foote family of Connecticut, one of whom was Governor of that State and United States Senator—a family distinguished in its State history. But little seems to be known of the ancestors on the paternal side beyond the father, Amos Lane; but the parents were married at Ogdensburgh, New York; and Gen. Lane's daughter, Annie, now Mrs. D. A. Johnson, of Kansas City, Mo., frequently visits the Connecticut kindred, and informs me that the old house in which her grand-parents were married is still standing in a good state of preservation, where she has been shown the room in which the ceremony was

performed. Gen. Lane himself gave me all I know of his father's nationality. Talking with Lane once, on politics, I happened to tell him I got my first practical ideas on political organization from Newton Gunn, a trusted, earnest friend and compeer of Thurlow Weed. "Newton Gunn! Where did you know Newton Gunn? He was my cousin." I found that he and Newton Gunn, a Connecticut youth, had been fellow clerks in the store of Judge Geer, of Ithica, New York, and that from such sources he had gotten much information. Contrary to general belief, he had various opportunities for culture among eminent men, although his education had been limited to common schools. But his mother was a woman of culture. Connecticut was famous for its advancement in education many years before she was born, and she had all its advantages in some of its most advanced schools for female education. In that rude settlement in Indiana, she took to her own home a few of the children of her neighbors, and taught school, her own children being a portion of her pupils, and her teachings were probably the most useful and instructive of his life. Thurlow Weed was one of his ideals of a great man, and opportunities with such a man we may readily imagine would never be lost on such a pupil. Whether in the evolution of humanity these criss-cross characteristics of parentage influenced the eccentricities or idiosyncrasies of the son, I leave to scientists who may read his history.

The writer had further opportunities of knowing of

the son in the fact that he was in Indiana when the Mexican war broke out, and passed through his native town when the first news of the victories of Palo Alto and Resaca de la Palma were received, and the rally was on for volunteers, and James H. Lane stepped from the multitude into the ranks as a private, and was spontaneously proclaimed the leader of the regiment, and made colonel by acclamation. Leading that regiment with great acceptance, he not only gallantly led these brave men through all its engagements up to the ensanguinary Battle of Buena Vista, but rallied the demoralized regiment of Col. Bowles, the latter retrieving much of their lost honors under his leadership; and after the expiration of the term of this regiment, he returned to his home, and organized another regiment, participating in the battles around the city of Mexico, honorably commanding till the close of the war. He was Lieutenant-Governor of Indiana, Elector-at-Large and member of Congress.

With these honors, he came to Kansas. One bright morning in April, 1855, as he was passing with his team over the hill where the State University now stands, he halted and walked into the little hamlet now called Lawrence, named but without a charter, carrying a jug to fill with water to pursue his journey westward, but meeting a man named Edward Chapman, who offered to sell him a "claim," he purchased and ended his journey.

He was a Democrat, and always had been, with the odium of having voted in Congress for the Kansas-Nebraska bill. That bill, the pre-cursor of the slavery agi-

tation, was considered by the people among whom he settled the acme of pro-slavery tyranny. His democracy might have been forgiven ; but the sin of breaking down the " Missouri Compromise " and turning the tide of slavery northward through Kansas, where a considerable number of slaves were already held, could not be palliated. Was he a pro-slavery man ? The ultra abolition type of agitators regarded him in that light. They believed that the whole democratic administration was sold and delivered to slavery. He was, however, no more pro-slavery than Pierce, Buchanan, Douglas, Logan and Grant. He believed in what they all called the " compromises of the constitution." He was no more a pro-slavery man than Henry Clay, who said he would rather be instrumental in relieving his country of the great stain of slavery than to be a conquering hero. He was with Douglas in favor of " squatter sovereignty." These men only espoused anti-slavery ideas according to the advanced thought of Garrison, Thaddeus Stevens and Chase after slaveholders arose in rebellion to sustain the Dred Scott decision that slavery was national and that slaves were property to be taken all over the Union according to the volition of the owner. If we had tabooed all men holding the views of Lane, Grant and others, we would have had neither statesmen, nor army, nor navy. The sentiment which triumphed grew out of results ; but in the very incipency of the conspiracy against Kansas, the conspirators laid down the proposition that they were neither Whigs nor Democrats, but a

distinctive Pro-Slavery party. On the other hand, Lane, Goodin, Emery and others attempted to organize the Democratic party, and were denounced as abolitionists and enemies of the institution of slavery. The opponents of slavery met them upon this ground, if they did not precede them, but that can hardly be claimed; for the friends of a Free State never chrystalized into a solid party until the Big Springs Convention, September 5, 1855, when they made provision for another convention at Topeka, September 19, 1855, which appointed an Executive Committee and called an election for Delegates to the Topeka Constitutional Convention.

Still, the small consolidation at Lawrence and a few other places, weak in numbers, but strong in the principles of universal liberty, dates back further. The very first effort at the trial of strength was November 29, 1854, when the anti-slavery men were badly routed, the vote standing: Fleneken, Democrat, 305; Wakefield, Anti-Slavery, 248; Whitfield, Pro-Slavery, 2,258, for the election of Delegate to Congress. At this election the Pro-Slavery men showed their determination to conquer the new Territory by invasion and ballot stuffing. The first homicide occurred that day, when Davis, Pro-Slavery, assaulted Kibbe, Free-State, and by the latter was killed in self-defense; which was the first murder trial in Kansas, in preliminary hearing before Judge Le-compte, on writ of habeas corpus, with a view to bail. The case was never tried. It was reported in full by John Speer for the Kansas Tribune and Free State.

The next contest was March 30, 1855, when one thousand men from Missouri and other States, with guns, revolvers and a cannon, boldly camped at Lawrence the evening before the election, and marshalled a portion of them for other points, besides having other bands enter the Territory at Kickapoo, Leavenworth, Atchison and elsewhere. It was the boldest, wickedest assault upon the ballot-box ever made in a country pretending to popular suffrage. The selection of a Pro-Slavery legislature succeeded this outrage, and laws were passed rendering a fair election an impossibility. Practically all opponents of slavery were disfranchised.

This outrage, however, aroused a spirit of resistance that finally became unconquerable. But, to avoid bloodshed, a general determination was evolved to hold an election for Delegate to Congress on a separate day from that selected by what was denounced as the "Bogus Legislature." But it is not the purpose of this work to go into historical incidents beyond what is necessary to elucidate the character on whom we are writing. The history of the Legislature thus imposed upon the people was characterized by an infamy unparalleled by any other in the annals of the Republic. The worst characters in the slaveholding oligarchy had failed to make precedents severe enough to satisfy the vengeance of these usurpers for punishments against the "abolitionists," and they made the mere declaration of opinion that "slavery does not legally exist in this Territory" a penalty of not less than two years in the penitentiary,

and harboring or feeding a man whom they declared to be a slave was death.

With all this, however, Gen. Lane had nothing to do. He had thus far been quiescent, except in a futile attempt to organize the Democratic party. It was in the initiatory effort to resist this tyranny that he literally broke loose in all his power, fury and energy. Thence onward he was indomitable and unconquerable.

CHAPTER II.

REPEAL OF MISSOURI COMPROMISE — EXCITEMENT OVER SLAVERY — OUTRAGES ON SETTLERS.

The original provocation for conflict was in what was known as the repeal of the "Missouri Compromise," embraced in the act "to organize the Territories of Nebraska and Kansas," which became a law by the signature of President Pierce May 30, 1854. This act repealed the law which "forever prohibited" slavery "north of thirty degrees and thirty minutes north latitude, not included within the limits of the State" of Missouri, in what was known as the "Louisiana Purchase," acquired under the administration of President Jefferson in 1804.

That compromise law had been considered a sacred compact between the North and the South for a third of a century, the preserver of peace between the slave and free States.

This action renewed all the hostilities that ever existed between the slave and non-slaveholding States, and opened up a contest for supremacy which eventually resulted in the war and the entire annihilation of slavery, and threw the whole burthen of the conflict upon the settlers of Kansas.

The animosities were aroused from the introduction of the bill. The theory of Senator Stephen A. Douglas, the author of the bill, was in the right of the people to "regulate their own domestic institutions in their own way," and the friends of the measure attempted to popularize it as "squatter sovereignty," but the ghost of slavery was too transparent. Mr. Douglas' first bill was to organize the Territory of Nebraska; but at the next session, he modified his measure by the act to organize the Territories of Nebraska and Kansas, in hopes that the idea of one slave and one free State would concilliate the excitement. The result is written in history, and speaks from the graves of the martyrs of the greatest war the world ever saw. The Northern emigrants to Kansas met the aggressions of slavery at every step. They were boldly told that "the abolitionists MIGHT take Nebraska, but if they got Kansas, they would have to fight for it;" and most emphatically they carried out their threats. The best "claims" were staked out and marked with the names of pro-slavery men, many of whom had never seen the land. My first night's experience will illustrate the situation. Six of us Northern men slept upon the prairies. We were aroused by the yell of a pro-slavery man, as distinct and definable as the rebel yell became afterward. My comrades suggested, as I was a Western man, that I should do the talking. I hailed from Kentucky, where I had once lived. He greeted me with gladness, and informed me that "too many infernal abolitionists are getting into the country, and for my part, I am for

tarring and feathering and gutting and hanging and drowning the scoundrels till not an abolition thief shall be found in Kansas!" Congratulating my Kentucky friend on his levelheadedness, he departed. Long after, I met him as a Union man, and a jolly good fellow he was.

The trying hour came in the election of March 30, 1855, for members of the Territorial Legislature, when 1,000 men invaded the polls at Lawrence, principally from Missouri, but with no inconsiderable portion from other slave States. This was the main central object of the invasion, but they came in sufficient number to overthrow the legal vote at Leavenworth, Atchison, Kickapoo, and in fact all along the border, while no part of the settled interior was neglected. It was an invasion with arms and all the munitions of war, with a cannon for the emergency of having to batter down a log house occupied for a polling place; and they did, indeed, upset a house and capture the judges at Clinton, having detailed two or three hundred men from Lawrence for that purpose.

Gov. Reeder, though appointed by President Pierce, whose every act had been to establish slavery, was a man of honest purposes, and did all he could to right the wrong by throwing out illegal returns, and proclaiming a new election to fill vacancies thereby created; but there not being enough thrown out to give the Free-State members a majority in either branch, the Pro-Slavery men did not go to the trouble or expense of a second invasion and ballot usurpation, and the Legislature paid no attention to the legal election, but summarily ousted all the

members elected at the second election and seated the members in both houses previously declared by the Governor not to have been elected at all. Martin F. Conway, a Free-State man, clearly elected a member of the Council, addressed a letter to that body denouncing it as constituted by fraud, and refused to act with it. S. D. Houston, a Free-State member of the House also uncontested, remained in the House but a short time, when he withdrew in disgust and contempt, denouncing them as usurpers and tyrants. This left both bodies unanimously pro-slavery; and they gave to the Territory a code of laws which had no parallel for infamy in the history of American civilization.

The causes which led up to the war are too little understood. The sufferings and trials of the pioneer in the anti-slavery cause in Kansas can hardly be realized in the present period of comparative comfort and ease; yet they enjoyed the excitements, laughed at their calamities, and rejoiced in their successes.

A single section of "An act to punish offenses against slave property," (Statutes of Kansas Territory, 1855, page 117, section 12,) will suffice as a specimen:

SEC. 12. If any free person, by speaking or by writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate or cause to be introduced into this Territory, written, printed, published, or circulated in this Territory, any book, paper, magazine, pamphlet or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years.

Three of the sections of this infamous enactment prescribe death for their violation ; three imprisonment for not less than ten years, or death at the discretion of the jury ; three imprisonment for not less than five years ; two imprisonment for not less than two years.

No enactment so severe had found its way into any of the American slave States. These statesmen had one merit—originality in barbarity. Under a jury of slaveholders, it might have been as bloody as the code of Draco.

With these aggravations, would it be wonderful if the victims of such laws should feel the spirit of revenge?

With all this, the Kansas troops were as humane as any body of similar troops that ever entered the army. They never sought Kansas for other than honorable purposes, and to them the field of battle was the field of honor.

The organization of the New England Emigrant-Aid Society, while peaceful and patriotic in its purposes, was made the pretext for more outrage upon the people from the slavery propagandists than against all other classes and combinations. It was the theme of denunciation in every campaign, and pro-slavery men traversed the Territory justifying all their aggressions, invasions and murders, on the ground that that company had invaded the rights of the slave States. It helped the country financially ; it aided the immigration by securing cheaper transportation both for passengers and freight ; it built mills, hotels, schools and churches ; and it is safe to say

provoked many quarrels and brought unjust accusations against the people of colonizing men from the East for the sole purpose of voting, which was by no means its object. There might have been isolated cases of men who availed themselves of its advantages for corruption only, but its purposes were humane and honorable.

The Aid Society were not long in realizing the danger of such antagonism to their property; for when they built the original stone building generally called the Free-State Hotel, but changed to the Eldridge House by Col. Eldridge, they raised the walls above the roof and made portholes in it as in blockhouses. The walls were built by placing boxes above the work and filling them with stone, something like concrete, except larger stone. The roof was as near flat as consistent with good watershed, and the walls projected above the roof. In the walls were placed boxes as if for molding sunk into the wall within about two inches of the outer surface, covered with mortar to hide the outside view; but the butt of a gun could instantly knock it out, and armed men would thus be ready for defense, either by firing through these holes or over the walls.

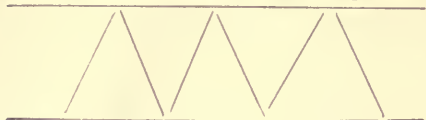
This building is thus described by Mr. Ben. Johnson, who erected the house:

OTTAWA, KANSAS, October 21, 1894.

FRIEND SPEER: I received a line from you asking about the walls of the Free-State Hotel. The building was fifty by eighty feet, four stories high. The basement walls were two feet thick; first story twenty inches; the balance eighteen inches thick. The parapet walls in front above the roof were two feet, running bevel all around the

building, making the sides and rear from two to six feet high, with portholes six feet apart, sixteen inches large on the inside, and four inches on the outside, mortared over to prevent observation from without side. Shape of opening:

B. JOHNSON.



While this house was going up, just following the election outrages of March 30, the Aid Society representatives, as individuals, and others sent George W. Deitzler (afterwards more famously known as Gen. Deitzler) to Boston for Sharp's rifles, and he returned under the assumed name of Crocker up the Missouri on the steamer Vienna, and up the Kansas on the Emma Harmon, and it began to dawn upon the Puritan that he must not only "trust in God," but "keep his powder dry."

Whether these "parapets" and "portholes" had anything to do with causing the following indictment, in 1856, is submitted to show how hard it was for Free-State men to build anything to advance civilization without encountering the direst enmity of the slaveholding oligarchy and its adherents:

The Grand Jury sitting for the adjourned term of the First District Court, in and for the county of Douglas, in the Territory of Kansas, beg leave to report to the honorable court, that, from evidence laid before them showing that the newspaper known as the Herald of Freedom, published at the town of Lawrence, has from time to time issued publications of the most inflammatory and seditious character, denying the legality of the Territorial authorities, advising and commending forcible resistance to the same; demoralizing the popular mind, and rendering life and property unsafe, even to the extent of advising assassination as the last resort.

Also, that the paper known as the Kansas Free-State has been similarly engaged, and has recently reported the resolutions of a public meeting in Johnson county, in this Territory, in which resistance to the Territorial laws, even unto blood, has been agreed upon. And that we respectfully recommend their abatement as a nuisance.

Also, that we are satisfied that the building known as the Free-State Hotel, in Lawrence, has been constructed with the view to military occupation and defense, regularly parapeted and portholed for the use of cannon and small arms, and could only have been designed as a stronghold of resistance to law, thereby endangering the public safety and encouraging rebellion and sedition in this country; and respectfully recommend that steps be taken whereby this nuisance may be removed

Whatever may have been the "provoking" causes, the worst speech ever made, considering its source, and the occasion, threatening murder, rapine, arson, and all their concomitant evils, was that made by David R. Atchison, Acting Vice President of the United States, as he nerved the ruffians to the assault upon Lawrence, in conformity to that indictment:

Boys, this day I am a Kickapoo Ranger, by God! This day we have entered Lawrence with "Southern Rights" inscribed upon our banner, and not one damned abolitionist dared to fire a gun. Now, boys, this is the happiest day of my life. We have entered that damned town, and taught the damned abolitionists a Southern lesson that they will remember till the day they die. And now, boys, we will go again, with our highly honorable Jones, and test the strength of that damned Free-State Hotel, and teach the Emigrant Aid Company, that Kansas shall be ours. Boys, ladies should, and I hope will, be respected by every gentleman. But when a woman takes upon herself the garb of a soldier by carrying a Sharp's rifle, then she is no longer worthy of respect. Trample her under your feet as you would a snake. Come on, boys. Now do your duty to yourselves and your Southern friends. Your duty I know you will do. If one man or woman dare stand before you, blow them to hell with a chunk of cold lead!

Terrible destruction followed this outburst of denoniac profanity ; and the best apology that could possibly have been offered for the Vice President is inferentially in the statement that when he sighted and fired the first gun at the offending hotel, eighty feet wide and four stories high, he missed the building ! The hotel, the printing offices, Gov. Robinson's house and much other property went up in flames, and many of the stores were robbed.

What the Emigrant-Aid Society did mainly to promote emigration, was to establish agencies at different points, which were advertised to furnish cheap rates of transportation for passengers and freight, in numbers and amounts so great as to be an inducement to steamboats and railroads to make important reductions ; and the agents were all instructed to sell to customers without regard to politics, though generally they were at points where the bulk of their business would come from the non-slaveholding States, and incidentally contributed to Free-State sentiment in Kansas.

But these cheap rates attracted some Pro-Slavery men, who either knew nothing or cared nothing about who sold, so that they got their tickets cheap. An amusing case of this kind of mistaken identity occurred in 1857, when Robert J. Walker, the newly-appointed Pro-Slavery Governor from Mississippi, came to Kansas with a retinue of followers. By some means unknown to common mortals to this day, some of the party stumbled into the steamboat agency of Simmons & Leadbetter, the Aid

Society's agents at St. Louis. The shrewd Yankee at the desk saw his opportunity in the distinguished list of travellers, and probably lost money on the sale; at any-rate, it is hardly necessary to state, he sold them all tickets as low as he could and avoid suspicion of having come by them dishonestly. About that time, Col. D. R. Anthony—of whom some people have heard since—happened along, but whether he had anything to do with “setting up a job” on them, has never come down even by tradition to the present posterity. With this party came a most distinguished orator of the spread-eagle variety, Hon. O. E. Perrin, who became more distinguished later, both in Kansas and New York. He came to sustain “the guarantee of the constitution,” the administration of James Buchanan, show the beauties of the organic act, the justice of letting slaveholders bring their “chattles” into the new Paradise, and the iniquity of tolerating the Emigrant-Aid Society. Bills were distributed for a complete circuit of the Territory, and his appointments all filled. The persuasive eloquence of that genius of slave-propagandism, in his appeals to the young men in behalf of “the beautiful maidens of the sunny South,” and the “enchantments of that lovely vision as the maiden sat under the orange tree, bringing sweet music from her harp,” had never struck the ear of the rude immigrants from the sterile North as it did from the lips of that gradiloquent orator; but his eulogy of the Southern maiden and Southern institutions was peurility compared with the withering scorn, con-

tempt and indignation with which he hurled his anathemas against "the infamous Emigrant-aid Society and the groveling paupers and negro-thieves with whom it was attempting to pollute the virgin soil of the fairest patrimony of the American people." His circuit of the Territory ended up at the Osawkee land sales, where all classes of people were attracted by that great auction of the Delaware Trust Lands. The Northern people, mainly the Free-State people, had become strong in number and stronger in resolution; and as that was a general assembly of the people, demanded the right to be heard on equal terms, and a joint or general debate was reluctantly agreed upon, with the despised "abolitionists." Joseph L. Speer had just then driven two yoke of oxen up from Lawrence with a load of lumber, and located at a spring near the edge of the embryo village; and he lariatied his oxen, laid down his big whip, and proposed to take a tilt in the general discussion. He got on the list ahead of Perrin; but the Pro-Slavery men were wild to hear the great orator of Kansas, the demolisher of aid societies and paupers, and their voices were vociferous for "Perrin! Perrin!" but the Free-State men's ire was up, and revolvers bristled in the evening air and moon-shine, while Perrin said he only wanted to speak ten minutes. That just suited Joe—in fact, he preferred it—because it gave Perrin an opportunity to annihilate the Aid Society, and Joe was was "loaded for bear"—loaded by D. R. Anthony; and he arose and requested the audience to listen to Mr. Perrin, on the assurance that he

should have his rights in ten minutes. Perrin dropped into the pitfall, and his denunciations of the Emigrant-Aid Society were so bitter and malignant that he forgot all about "the maidens with their harps under the orange trees." He told his friends before he went in, that, with that audience, he thought he could make the great effort of his life that night; and, as he went on, on, for more than an hour, the cheers and yells of slavery triumphant nerved him till great drops of perspiration rolled down his classic cheeks.

The orator retired in triumph, and went into the hotel from the steps of which he had so successfully vindicated the slavery cause, to receive the congratulations of the chivalry—perhaps in liquid potations. Speer followed mildly, regretting his inability to compete with the distinguished leader of the opposition, but in great candor confessing that in his denunciations of the Emigrant-Aid Society he was compelled, from indubitable evidence in his possession, to agree with him. He had been able to find his own way to Kansas, and pay his own fare without aid from any corporation, and he believed that was the more independent way. His attention had not originally been called to the deleterious character of that institution, but in the changes of his mind he was not wholly influenced by the arguments, eloquent as they were, of the gentleman who had preceded him. He had made some discoveries himself, which he would read. He had extracts from the books of Simmons & Leadbetter, the agents of that abolition institution at St. Louis,

the authenticity of which could not be disputed, showing the character of the men whom it was sending among us. (Then he gave the page and number of the book to which he referred :) “ ‘Hon. Robert J. Walker.’ Now,” said Speer, continuing, “we have had enough of these Pro-Slavery Governors foisted upon us, without any aid from that Society. If that institution was bringing in Pro-Slavery Governors faster than they could run away, you and I and all of us, fellow-citizens, will join Mr. Perrin and all good men in removing that nuisance from our midst. [Laughter, cheers and shouts of applause.] Now, hear: ‘Frederick P. Stanton!’ [Cheers.] This is the new Secretary of the Territory, whose first declaration was that the tyrannical Pro-Slavery laws passed by the invaders, making it a penalty of two years in the penitentiary to deny their validity, must be obeyed; and if not, it was war to the knife, and the knife to the hilt! Could anything be more damnable than that?” And on he went through the whole list, all Pro-Slavery, severe in his ironical castigations of the Society. “Now,” said he, “I come to the climax of infamy: ‘O. E. Perrin and servant!’ It was bad enough to bring that great orator and enemy of free institutions to Kansas; but, if this servant was a negro and a slave, and this Society is planting the oppressor and the slave upon our soil, no curse can be too severe upon its character!” The shouts which followed this induced some slavery advocate to report to Perrin, in the hotel, to which he had retired, and he rushed out, vengeance in his eye, exclaiming, “I am

told the speaker has assaulted me personally, and I demand apology!" Speer's reply was: "O, no; on the contrary, I was complimenting him on his opposition to the Emigrant-Aid Society;" and then he went on and repeated what he had said, and defied him or any other man to dispute the fact that the whole gang of United States officers had availed themselves of the cheap tickets of the Emigrant-Aid Society, evidently for the purpose of saving a few dollars; and they were all now hypocritically traversing the Territory denouncing it for political effect, against the well-known fact that any man who had the money could do the same thing.

Mr Perrin was a power on the stump, of pleasing address and persuasive eloquence. But his great theme was the charge of colonizing paupers, and ostracising the Free-State men as purchased paupers; and when Speer struck "O. E. Perrin and servant" on the record, and verified it, the audience went wild with enthusiasm, and the triumph was complete. "His occupation was gone." He departed the country, and Kansas knew him no more forever.

These Osawkee land sales, which opened July 15, 1857, were the source of more free discussion than had ever taken place in Kansas. The people came from all parts of the country to buy land and to lend money; and gold was there in heaps. A man came to my brother's cabin one day, and said, "I want to go down to your spring and get a drink." We walked with him. He began to clean out the spring, and pulled out a bag of gold, which

he said he had hidden there the night before. All were armed, and men will fight for gold, and all were interested in having peace—and had it there, skirmishes on politics excepted.

Some narrow escapes on politics occurred which were rather amusing. An impromptu discussion broke out, with a wagon for a rostrum; and Mr. John C. Douglass, a very gentlemanly young man from Leavenworth, and a Sunday school teacher, undertook to take a hand in it, and the ruffians made a rush for him; and, although Mr. Douglass showed good grit, they mobbed him clear away from the stand. Just about then D. R. Anthony appeared in view; and the mob was hot. They “had it in” for Anthony on account of the Aid Society records; and right then, he exclaimed, “Joe, you got me into this; will you stand by me?” and they both crawled in the wagon. Their first utterances, simultaneously and in happy unison, would read something like this: “That man you mobbed was a Sunday school teacher; we are no Sunday school teachers, but a pair of blooming abolitionists; and if you pro-slavery sons of perdition want anything of us, come right on.” They had their rights that day. Their speeches were not reported; but it is said that they made it so clear that they were not Sunday school teachers, that that has never been disputed since.

We have thus attempted in this chapter to give very briefly facts illustrative of the provocations leading up to the conflict in Kansas till 1857, because we could not well

break the chain of facts in regard to the Emigrant-Aid Society and do justice to that institution.

On the day the slavery-protection law took effect, we published the following in the KANSAS TRIBUNE:

THE DAY OF OUR ENSLAVEMENT!!

To-day, Sept. 13, 1855, is the day on which the iniquitous enactment of an illegitimate, illegal and fraudulent Legislature have declared commences the prostration of the Right of Speech and the curtailment of the LIBERTY OF THE PRESS!! To-day commences an Era in Kansas which, unless the sturdy voice of the People, backed, if necessary, by "strong arms and the sure eye," shall teach the tyrants who attempt to ethicalize the lesson which our Fathers taught to kingly tyrants of old, shall prostrate us in the dust, and make us the slaves of an Oligarchy.

Worse than the veriest Despotism on Earth!

To-day commences the operation of a law which declares: "Sec. 12. If any free person, by speaking or by writing, or by print, publish, write, circulate or cause to be introduced into this Territory, written, printed, published or circulated in this Territory, any book, paper, magazine, pamphlet or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years."

Now we **DO ASSERT** and we declare, despite all the threats and barks of the iniquitous Legislature of Kansas, that

"PERSONS HAVE NOT THE RIGHT TO HOLD SLAVES IN THIS TERRITORY."

And we will maintain it upon our banner in letters so large and in language so plain that the illiterate savages who elected the Kansas Legislature, as well as

THAT CORRUPT AND IGNORANT LEGISLATURE

Itself, may understand it—so that, if they cannot read, they may **SPELL IT OUT**, and meditate and deliberate upon it; and we hold that the man who fails to utter this self-evident truth, on account of the insolent enactment alluded to, is a poltroon and a slave worse than the black slaves of our persecutors and oppressors.

The Constitution of the United States, the great Magna Charta of American Liberties,

Guarantees to every Citizen the Liberty of Speech and the Freedom of the Press!

And this is the first time in the history of America that a body claiming Legislative powers has dared to attempt to wrest them from the people. And it is not only the right, but the bounden duty of every Freeman to spurn with contempt and trample under foot on enactment which thus basely violates the rights of Freemen. For our part we **DO** and **SHALL CONTINUE** to utter this truth so long as we have the power of utterance, and nothing but the brute force of an overbearing tyranny can prevent us.

Will any citizen—any free American—brook the insult of

AN INSOLENT GAG LAW!!

the work of a Legislature cleried by bullying ruffians who invaded Kansas with arms, and whose drunken revelry, and assaults on our peaceable, unoffending, and comparatively unarmed citizens, were a disgrace to manhood, and a burlesque on our popular Republican Government! If they do, they are slaves already, and with them Freedom is but a mockery.

This defiance of tyranny and defense of the freedom of the press was published in full page size, 18 by 24 inches, and is now reproduced in reduced fac simile by photo-engraving, to show the spirit of the times.

We cannot insert this without referring to the gallant soldier, the accomplished printer, the intelligent legislator, the true friend, and the compositor who put that arraignment in type, Capt. FRANK B. SWIFT, whom the people of Lawrence took from a case in our office, by electing him to the Legislature; and any imperfections in the job are explained by the fact that it took all the type we had to do it. The spots in it were made by sparks by the burning of the editor's dwelling.

The following oath will explain what was going on elsewhere the same day:

UNITED STATES OF AMERICA, TERRITORY OF KANSAS.

I, JOHN P. WOOD, do solemnly swear, upon the Holy Evangelists of Almighty God, that I will support the Constitution of the United States, and that I will support and sustain the provisions of an act entitled "An act to organize the Territories of Nebraska and Kansas," and the provisions of the laws of the United States commonly known as the Fugitive Slave Law, and faithfully and impartially and to the best of my ability, demean myself in the discharge of my duties in the office of Probate Judge. So help me God.

JOHN P. WOOD.

Sworn and subscribed before me this 15th day of September, 1855.

DANIEL WOODSON, Sec'y Kansas Territory.

Journal A, page 1, Probate Court Douglas county, Kansas.

CHAPTER III.

MOVEMENT FOR A CONSTITUTIONAL CONVENTION.

Gen. Lane's first direct participation with the Free-State party was in the initiatory steps for the formation of a State Constitution, in which he at once became the leader.

So much has been said about "the Topeka Movement," and the claims of ambition so often presented, that it is better to let the actions and words of participants of the times speak in justice as much as the records will show.

It is due first, however, to Hon. Martin F. Conway, a journeyman printer, almost a boy at the time, to say, that, in my opinion, the initial step for resistance to the laws passed by the Pro-Slavery or "Bogus Legislature" was in an impromptu meeting under the shade of the Kansas Tribune office, in Lawrence, at which he declared his determination to refuse to sit as a member of the Territorial Council, to which he had been elected and received his certificate from Gov. Reeder, and he did send a letter of protest and resignation to that legislature, on July 3, 1855, the day next after its assembling, rejecting his certificate with contempt.

I think the following is the only report ever made of the meeting thus called :

From the Kansas Tribune, June 13, 1855.

PUBLIC MEETING.

A large number of the citizens of Lawrence assembled at the hall of Messrs. Harlow & Hutchinson in Lawrence, on the evening of the 8th instant, to take into consideration the propriety of calling a Territorial convention of Free-State men, JOHN SPEER in the chair, and A. S. ADDIS secretary. M. F. Conway, Esq., of Pawnee, being called for, made some able and spirited remarks in relation to the outrageous and unparalleled invasion of our rights by armed hordes from Missouri, at the recent election. He was for repudiating all action by the Legislature elected by Missouri, and memorializing Congress for relief. The meeting was also addressed in an interesting manner by Messrs. J. L. Speer, S. N. Simpson, E. D. Ladd, J. Hutchinson, R. G. Elliott and others.

On motion of Mr. Simpson, it was resolved to call a Territorial convention at Lawrence on the 25th of June, for the purpose of giving expression to their views in relation to the recent outrage, and taking such action in the premises as might be deemed proper.

On motion of J. L. Speer, it was recommended that each representative district should appoint five delegates to said convention. The following gentlemen were then appointed to represent the Lawrence district: Messrs. Elliott, Deitzler, J. L. Speer, S. N. Wood and S. N. Simpson.

On motion, the chair appointed Messrs. Pratt, Elliott and Abbott to act as a committee to inform the Free-State men of other districts of the objects of the proposed meeting, and solicit their co-operation.

A. S. ADDIS, Secretary.

JOHN SPEER, President.

Though this meeting was dubiously looked upon by mere politicians as indiscreet, it was well attended, and was the beginning of the great constitutional struggle.

After diligent search, I can find no proceedings, nor do I remember, of any convention of June 25, 1855; but

this may have been a confounding of dates. Politicians were scared at this "revolutionary" movement. It might have been said of it, as Gen. D. W. Wilder said, in a great street meeting on universal emancipation, "It is coming, but only a few of us fool abolitionists know it."

The Topeka Constitution movement was universally conceded to be the culminating point in resistance to the usurpation, and the "invention" of a practical plan for deliverance from the thralldom of the Territorial laws. It would perhaps be unfair to claim that credit for any man. All the politicians had talked over the question of State organization—some from one point of necessity, and some from another; but nearly, if not quite all of them, from the stand-point of ambition to be Senators, Governors, Congressmen and Federal officers.

The fairest way is to publish in full the proceedings of the very first meeting at which the question was fully discussed, and which was called for that discussion. We therefore give it to show Gen. Lane's action with others on that question, remarking only that that report was made by a reporter decidedly unfriendly to him, and therefore now becomes the most important in establishing his position.

The Herald of Freedom of July 14, 1855, has the proceedings of a meeting held at Lawrence July 11:

Messrs. G. W. Smith, John Hutchinson, John P. Wood, Rev. Mr. Nute, Dr. C. Robinson, C. Stearns, Wm. Jesse and others, by whom the particular form of the organization to be effected and the action

to be taken, was earnestly and warmly discussed. . . . Messrs. Smith, Robinson and others recommended the choosing of delegates for the formation of a State Constitution, and application to the next session of Congress for admission into the Union as a State.

The only action taken was the passage of the following resolution:

Resolved, That a mass meeting of the Free-State citizens of the Territory of Kansas be held in Lawrence on the second Tuesday of August next, to take into consideration the situation of the Territory in reference to its government, and for the transaction of such other business as may come before the meeting.

The meeting thus called to "be held in Lawrence on the second Tuesday in August," met pursuant to the recommendation, and the proceedings are reported in the *Herald of Freedom* of August 18, 1855. Col. Lane said, as reported in that paper:

If I believed a prayer for you, from me, would do any good, it would be that you might be imbued with the wisdom of Solomon, the caution of Washington and the justice of Franklin. I am glad to see so many here this inclement day. It requires wisdom—it requires manhood to restrain passion. I say as a citizen of Kansas, I wish we had wisdom to-day. There is the existence of a nation hanging upon the action of the citizens of Kansas. Moderation, moderation, moderation, gentlemen! I believe it is the duty of each of us to define our position. I am here, as anxious as any of you to secure A FREE CONSTITUTION TO KANSAS.

Dr. Robinson [since Gov. Robinson] made the report of the Committee on resolutions, with a lengthy preamble.

It is not necessary to insert all these resolutions. The preamble and the first three resolutions were recitations of our oppressions and declarations to resist the impositions.

The fourth resolutions was to "set aside all differences of political opinion, to cultivate a comprehensive and

intimate intercourse with each other, to effect a thorough union, and otherwise prepare for the common defense."

This resolution was adopted on Col. Lane's motion.

The fifth resolution was drawn by John Speer, though he was not a member of the committee on resolutions, and read as follows :

5. Resolved, That we consider the attempt to establish a Territorial form of Government in this Territory as thus far an utter failure, and that the people of the Territory should, at some convenient period, assemble at their several places of holding elections in the various districts of the Territory, and elect delegates to a convention to form a State Constitution for the State of Kansas, with a view to an immediate State organization, and application, at the next session of Congress, for admission into the American Union as one of the States of the American Confederacy.

The Herald of Freedom says :

The fifth resolution was moved for adoption by Col. Lane.

This resolution was most thoroughly discussed during the forenoon and the afternoon of the second day's proceedings, by Messrs. Lane, Holliday, Hutchinson, Rev. Gilpatrick, G. W. Smith, Robinson, (since Gov. Robinson,) Foster, Wakefield, Mendenhall, Jesse, Ladd, Pomeroy, Conway and others.

We quote from the Herald of Freedom the remarks of the most prominent men upon the fifth resolution, "with a view to immediate State organization :"

Mr. Holliday [since so universally known as Col. Holliday of Topeka, one of the leading organizers of the Atchison, Topeka & Santa Fe Railway Company] spoke briefly, but to the point, upon the resolution, and said he was glad that during the night the conflicting elements of the day previously had been harmonized ; that he believed all parties would unite in adopting the majority report. [Cheers.]

Rev. Mr. Gilpatrick. The question is not whether we will have slaves in Kansas, but whether we will be slaves ourselves. A worse than vandal horde are riveting chains upon us. For myself, I will not consent they shall do it. I would rather go to a Southern plantation and labor by the side of the meanest slave, and be compelled to toil on for life, than submit to the degradation.

Mr. [G. W.] Smith had not differed in the sentiment of the majority report. The wording was different from what he would have made it. As he understood the matter, he could cordially adopt the plan submitted by the committee.

Dr. Robinson [since Governor] did not wish to be misunderstood in regard to his position. He could not consent that a movement for framing a State Constitution should originate in this convention. He would be happy to meet with a convention of the people at large at another time, to take action upon the expediency of framing a constitution; but he would make no pledges as to how he would act in the premises in the convention about to be held.

Mr. Mendenhall lives in the immediate vicinity of the daily sessions of this mock Legislature, and knows their doings. He recounted the fact that Missourians directed the legislation of that body; that Atchison, Stringfellow and Shannon were at Westport advising and directing the action of the Legislature; and that their tools at the Mission were only carrying out their previously expressed will. He did not feel like being governed by such a body of men, and hoped the resolution would be unanimously adopted.

Mr. Pomeroy, [afterward United States Senator] being loudly called for, took the stand, and thought the time had not arrived for forming a State Government. He was not without hope of the new Governor. [Gov. Dawson, appointed by President Pierce, but never accepted—a Pennsylvanian.] He thought it was possible our best hopes might be realized. Let us not embarrass the new powers. I believe there is yet light, though all now is dark as night. I have just come from the East, and have travelled through the free West, and know that a determined and firm course will meet with the support of every freeman in the nation, and many of the best men of the South. There is a way

to redeem our Territory, and I believe it can be done. The Grecian fable tells us that Justice can sleep, and Equity lie napping on the couch of Time; but we deceive ourselves, if we think, on her waking, she will be affrighted back to her native heaven. Those men now in power by foreign votes,

“Dressed in a little brief authority,
Play fantastic tricks before high heaven.”

Col. Lane replied briefly. Was in favor of adopting a State Government, and had no doubt Gov. Dawson would lend his aid in furtherance of such a project.

At the afternoon session, the same report says :

Mr. Conway occupied twenty-five minutes, by special vote of the convention, in showing that it was practical to move for a State Constitution. His remarks were delivered with great earnestness, and listened to with great attention.

A resolution was adopted endorsing the action of the Free-State convention held in Lawrence on the 25th of June, and the Executive Committee were requested to perfect their organization.

Allusion was made to a Free-State delegate convention called at Big Springs on the 5th of September next. The bills were exhibited, and the movers of that convention, several of whom were present, expressed a desire that there should be a union of effort of all Free-State men, and hoped that those in attendance at this convention would act in concert with that. The following resolution was then introduced by Mr. Speer, one of the secretaries, who reduced the understanding to writing, as follows:

Resolved, That, in conformity with past recommendations, the Executive Committee be requested to call a Free-State Convention of five delegates to each representative from the several representative districts of Kansas, to be elected on the 25th day of August, to meet in convention at Big Springs on the 5th day of September next, for the purpose of taking such action as exigencies of the times may demand, agreeably to a call already published.

This report very mildly portrays the action of Lane, who fairly swayed that convention.

The proceedings of the times show for themselves. The politicians were startled at the audacity of the movement. The legislature, sitting at the Shawnee Mission, at the Missouri line, many of the members boarding in Missouri, were concocting laws making the severest penalties for discussing the question of slavery; and the popular sentiment of Missouri needed no such stimulant to break out in fury, kill and drive from the country the few brave spirits who dared to confront that giant of despotism. Gen. Pomeroy, a man of talent, ambitious for the Senate, whither he afterwards went, stood aghast at the temerity of that brave assembly, thought there would be a way, that there might be light, "though all was dark," and related a Grecian fable. It was no time for fables. Stern realities faced us. The eloquence of Conway stirred that audience as the voice of Patrick Henry aroused the men of the Revolution. The brave Quaker, Richard Mendenhall, his home and his family in sight of the halls of legislation, uttered truthful words of warning, and boldly backed the measure of our hope and salvation; and paid the penalty when the Friends' Mission went up in flame. Col. Holliday uttered the voice of Topeka in no mistaken terms, when, after a night's deliberation, he declared that it gave him great satisfaction to announce that "conflicting elements had been harmonized;" and most nobly the Topeka people backed him up. By the time the Big Springs convention met, the whole country was aroused. Many statements have been published as to the "inventor of the Topeka movement." It was so great a

movement that many were willing to confess its pater-nity when danger passed by. "Invented" is a safe term; but this writer hopes his egotism will be excused in the interest of the truth, when he says that he himself, at that street meeting—and an unfriendly hand has made it into history—made a motion for a meeting at Big Springs on September 5, 1855, while the inventor was getting out his caveat, and the patent was lost.

Notwithstanding Lane's earnest emphatic champion-ship of the measure, the prejudices against his vote for the organic act still clung to him. The Western men, notwithstanding their positive enmity to slavery, were generally in favor of a law prohibiting negroes, bond or free, from settling in the country; and some of them went so far as to say, if they must have negroes among them, they wanted them slaves. Such laws had existed in the Western States, and in some they were constitutional provisions. He was a black-law man; and, while that helped him with the Western people, it was very repug-nant to the advanced anti-slavery sentiment of the East.

"Lane spoke briefly," says the report. As the meet-ing was adjourning, he sent a man to me to ask me to announce that he would speak at the hall that night. I refused, unless he proposed, without equivocation, to speak for the Free-State cause. He declared that he would open up in favor of a Free Constitution and de-nounce a noted Pro-Slavery leader. An immense crowd appeared; and rarely was such a scathing administered. His address inspired every heart.

An incident occurred that night which showed Lane's presence of mind. The meeting was in Robinson Hall, second floor. As he spoke to an audience charmed with his invective frontier eloquence, the building gave way. Instantly, bringing his arms down with emphasis, he exclaimed, "Stand still!" Not a soul moved. "Now," he continued, "let two of our best mechanics go quietly out, examine the building and report." They did so, and reported that it had sunk three to four inches, but its foundation was solid and the building safe. The meeting went on.

From that night on, Lane was a giant in the Free-State cause. He was a candidate for delegate to the Big Springs convention, and I opposed him because he was a black-law man. Our candidate was defeated; but I got in a resolution instructing him to oppose any allusion to black-laws as a delegate in the convention. That was the best anybody could do.

A few days afterward, I met him in the road, and his first greeting was: "Why is it you so oppose me?" I said I was not opposed to him. I was opposed to his barbaric black laws. He asked me if I did not believe a majority of the people were in favor of laws prohibiting the immigration of negroes, bond or free, to Kansas. I admitted it, but told him such a clause in the constitution would defeat admission, and drive all sympathy with us from such men as Sumner, Wade, Wilson, Stevens and Chase, and utterly defeat the project. We sat down and talked it over, and he made this proposition:

If he could get into the Constitutional Convention, he would use all his powers to get a clause in as a separate question, distinct from the constitution, to be voted on pro and con, and to be operative only as instructions to the first legislature, to be null and void afterwards. We shook hands on that, and agreed cordially to be friends. In the state of feeling then, it was the sublimity of wisdom. It was carried out to the letter. And when Lane was sent to Washington with that constitution and presented it to Congress, Senator Douglas accused him of forgery by striking out a black-law clause, and Lane promptly challenged him to mortal combat—a challenge which Douglas declined on the ground that Lane was not his peer as a Senator. On all opportune occasions Lane used to say: “Deep down in Douglas’ pocket is a challenge which he declined because I was not his peer. He insulted you as well as me. You owe it alike to yourselves and to me to put me where I will make him reach down and pull that paper out!” That was strange electioneering language, or would be now; but it was the spirit of the age. The war made them mutual friends; and perhaps no statesman more sincerely lamented Douglas’ untimely death than Senator Lane. Well I remember his sad expression of countenance as the event was announced to him; and how sympathetically he spoke of Douglas’ patriotic work and his great influence over important elements in the pivotal condition of the American Union. But events proved that great men might pass away, but the Union was ever-enduring

Wilder's Annals, the vade mecum and multum in parvo in Kansas literature and history, has but one reference to "black laws," and that relates to a vote in the Topeka Constitutional Convention (page 86) on a motion to strike the word "white" out of the suffrage provision. We suppose the author considered that black enough, and searched no further. Hon. John Hutchings, a bookworm of Lawrence, who had hardly a compeer in Kansas historical research, considered it a myth. It nevertheless passed just as I have stated it; and Lane scorned the idea of explaining under an imputation of his word.

The Big Springs Convention became noted throughout the Union, as intimately connected with, and a part of, "The Topeka Movement;" and it was the first consolidated mass of the freemen of Kansas in resistance to the oppressions attempted by the usurping legislature, and was as intelligent, earnest and heroic a body of men as ever assembled to resist the tyranny of George the Third. It was emphatically an armed meeting. I remember well, at the rude country hotel, when I asked the landlady for my overcoat, her response: "Go in and get it. I would not touch that armory for all the property in the room." It was safe to be dangerous, and dangerous to be safe, then. There was danger, as the weight of every coat I had to remove, in the great pile of garments plainly indicated.

The people came from all portions of the Territory. No hamlet nor agricultural community was unrepresented. Men started before daylight in dangerous pro-

slavery places, like Kickapoo, Delaware, Lecompton and elsewhere, to avoid interruption, if not assassination.

Gov. Andrew H. Reeder, who had endeared himself to every friend of liberty, by his noble stand in favor of law, justice and the rights of man, was nominated for Delegate to Congress by acclamation; and, to avoid bloodshed, as well as the appearance of recognition of the "Bogus Laws," by an invasion similar to those preceding, they fixed the time on a different day from that designated by those "laws." Reeder's speech of acceptance was a masterpiece of eloquence and patriotism. It is to be regretted that there was no reporter on the ground to preserve it as an example of heroic literature, to be read by future generations, when liberty might seem to be endangered. When he uttered this noble sentiment: "We stand here, fellow-citizens, as with the voice of one man, to proclaim to the world, before High Heaven, that we will protect our rights with the steady arm and the sure eye!" it was said that the unit shout was heard at Lecompton, five miles away! "He who tempers the wind to the shorn lamb," sent a stiff breeze into the pro-slavery camp that day.

Two sets of resolutions were adopted: One set offered by Gen. Lane, and thereafter known as the "Big Springs Platform;" and the other by Hon. James S. Emery. Lane's were the more conservative of the two; but both were positive in their determined insistence upon our rights—Emery's declaring that "we will resist them [the "laws"] to a bloody issue as soon as we ascertain

that peaceable remedies shall fail, and forcible resistance shall furnish any reasonable prospect of success."

Mr. John Hutchinson offered a resolution endorsing the people's movement recommended by the convention of August 14 and 15, previously alluded to, for a delegate convention of "the people of Kansas Territory, to be held at Topeka on the 19th instant, to consider the propriety of forming a State Constitution," which passed without a dissenting vote.

Events followed events in quick succession. The people met in Delegate Convention at Topeka on September 19. It was a business meeting, well attended; but it took two days. The first day, it met about noon. Lane was not there; and doubts were expressed about his loyalty to the cause. A little after dark, he came riding up at the head of a body of "conservative Western men," M. W. Delahay, H. Miles Moore and S. N. Latta among them, all of whom became distinguished in the Free-State hosts afterwards. They had rode sixty miles that day to get there; and in five minutes, Lane had his horse tied to a post, and was making a street speech to an admiring audience. That meeting made him chairman of a committee on an Address to the People, and appointed an Executive Committee, as follows: J. H. Lane, chairman, C. K. Holliday, M. J. Parrott, P. C. Schuyler, G. W. Smith, G. W. Brown, and J. K. Goodin, secretary. That was, in fact, a Provisional Government, with Lane at its head. The Committee issued scrip to pay expenses, and considerable of it was redeemed, by contribu-

tions from Eastern friends. They also proclaimed a day of Thanksgiving. At a later period, just after a Free-State victory, in reply to a petition from certain citizens for a day of Thanksgiving, Gov. Walsh replied by refusing, and giving as a reason, that there was nothing to be thankful for, in this infernal country, or words to that effect.

The delegates to the Topeka Constitutional Convention were elected, and James H. Lane made President, participating actively in its proceedings. The convention met at Topeka October 23, and framed a liberal and admirable Charter of Freedom for our State government, adjourning November 11, submitting the instrument to a vote of the people, December 15, 1855; but before the vote was taken, war was declared against the people and Lawrence besieged by 1,200 armed men, mostly from Missouri.

CHAPTER IV.

THE WAKARUSA WAR—ATTEMPTED SUBJUGATION.

While the people were jubilant over the success of the Big Springs Convention, and gratified with the results of the Topeka Constitutional Convention, a new element of discord and disaster broke out, in the murder of Charles W. Dow by Franklin N. Coleman—which was followed by the Pro-Slavery authorities, not in arresting the murderer, but in capturing Dow's neighbor, with whom he boarded, Jacob Branson, apparently, as the Free-State men claimed and believed, to prevent Branson from being a witness against the murderer.

In the invasion, outrages and murder following, which was known as the Wakarusa War, the prejudices against Lane became again transparent, and he was placed second in command. Dr. Charles Robinson (since Governor Robinson) was made Commander-in-Chief of all the forces. There was, indeed, a prejudice in the minds of many New England men against Western men—a fear that they were not far enough advanced in anti-slavery sentiment to be trusted; and there was an especial distrust against Southern men who expressed anti-slavery

opinions, not unwarranted, but sometimes doing injustice to the firmest and truest advocates of the Free-State cause; but investigation was a necessary precaution. It is no reflection on any person to tell this patent truth, that there was no other known man in Kansas, who had the experience as an officer in war, to lead in the drilling, organizing and manœuvering of an army in the crisis upon us. Like a true soldier, bound to obey as well as command, he accepted the situation with a nonchalance which showed no disappointment—not a quiver of the lip, a blanch of the cheek or a wink of the eye, indicated any uneasiness at his position. Nor are we finding fault with anything; but attempting, in the interest of the truth, to “hew to the line, let the chips fall where they may.” He took his position as Grant did, when he was set to making records at Springfield; and they both made their records afterward.

But to our subject: Lane and his acts. Trouble had been brewing all summer. The acts of the Free-State party—their withdrawal from all participation in elections; the bold defiance of the Big Springs convention, and yet their peaceable aspect in refusing to recognize either “the laws” or the elections under them—were aggravating to men “spoiling for a fight.” Their pretext came in this homicide, which was a cold-blooded murder. It occurred at a point near where is now the west end of Palmyra township, in Douglas county, and near the old Santa Fe wagon trail. Dow was a quiet, inoffensive, courteous gentleman. Branson was an up-

right, honest farmer. I knew both well. His murder created a sensation all over the country, and especially near his former Ohio home, on the Western Reserve; but his family was from New England, and when Horace Greeley visited Lawrence, May 19, 1859, he made special inquiries concerning him, and found that he was of a family who were his old neighbors and friends, not far from his childhood's home. He was at a blacksmith shop, where he had got a plowshare repaired; and was starting home, when Coleman yelled some insulting remark at him, and he turned around, and was instantly shot dead.

When the news was sent out, Major J. B. Abbott, S. N. Wood, S. F. Tappan, J. B. Kennedy, Wm. Meirs, and several others, held an indignation meeting near the scene of the murder; and, as they were returning home, they heard of Branson's capture, and that he was being taken to Leecompton, where death probably awaited him, and they rescued him from the bogus sheriff and his posse, the two parties being about equal in numbers; and war in earnest began.

Gen. Lane took charge of the organization and drilling of troops. His energy was indomitable and he seemed ubiquitous. The besieging army, most of them from Missouri, were soon found to consist of twelve hundred men; while the Free-State men rallied but about half that number. A plan of fortification was resorted to. Lane planned and ordered forts or earthworks—rifle pits, perhaps, is the best description—and with half their

number, defied them. Every man did his duty ; but the name of Lane was a terror, wherever it was heard. Missouri had furnished many troops to the Mexican war—New England but few ; and more men in the ranks of our enemies knew of his prowess, than had ever heard of him in our lines till he led us in battle array.

In these rifle pits, the men worked with great energy. They were located as follows, as nearly as I can describe them now : One in the middle of the crossing of Massachusetts and Henry streets ; one in the middle of Massachusetts street, about four hundred feet north of Winthrop street ; one in the middle of New Hampshire street, about half way between Winthrop and Henry streets ; and one on Vermont street, about half way between Winthrop and Henry streets. They were circular in form, about seventy-five feet in diameter, five feet high, and three feet wide at the summit.

This was practically then the business centre of Lawrence—the whole place a mere hamlet. The distance between the rifle pits on Massachusetts street was eleven hundred feet—between those on New Hampshire and Vermont street six hundred feet. Massachusetts street was pretty well built up within the lines of these forts ; the Free-State Hotel, now the Eldridge House, was a heavy stone building ; adjoining the now Journal building, was the Dr. Leibey building, substantial stone ; near the north fort, the substantial stone building of G. W. Hutchinson, and I think the stone building of B. W & Phillip Woodward, partly up ; with wooden buildings,

more or less substantial, nearly inclosing the whole distance. This was planned for the scene of the death struggle. This was no child's play.

I was in the south intrenchments, when Gen. Lane, taking a view of the situation, rode up, and remarked: “Boys, you are getting well ready for them.” To inquiries as to the probabilities of attack, he said they were likely to come that night. “They will come,” said he, “yelling and screeching, as if hell had broken loose, and all its devils were upon you. Keep cool. Be ready for them. Victory will be yours.”

The situation was too serious for levity. We could hear the cannon of the enemy at Franklin, their headquarters. We fired none, though we had one; but the object was to let its first voice be heard raking Massachusetts street when the assault came. Some of the men were shooting at floating objects in the river; when the order came, “Waste no powder in the river—save it for the enemy.” There was a question of powder; and two brave women, Mrs. Lois Brown and Mrs. Margaret Wood, volunteered to go through the enemy's lines to the Wakarusa, and returned with two kegs of powder under the buggy seat. As they returned, the word rang out, “Halt!” three men advanced, and, observing the ladies, merely remarked, politely bowing: “Oh, ladies, please excuse us; pass on.”

This is the way we got the cannon: When the siege commenced, there was an eight-pound howitzer in the warehouse, at Kansas City; and two young men, Messrs.

Buffum and Sumner, (a relative of Senator Sumner,) volunteered to take a team and bring it up. It was closely boxed. They went and came by the north side of the Kansas river, through an Indian reservation, mostly wilderness. As I belonged to the cavalry company, I was notified that picked men were wanted for a dangerous expedition. We were led by that gallant man, Col. James Blood. We forded the Kansas river, in preference to ferrying, to know where to cross, on the return, "on the double quick," in the case of a retreat. We had scarcely got out of the limits of the present North Lawrence, when one of our company remembered that he belonged to a committee, and ought to be exempt. I have never heard the language with which Blood drove him back into the ranks used in pulpit oratory. We had heard that a Pro-Slavery body had crossed the river opposite Franklin, then the headquarters of the Pro-Slavery hosts. We met the brave boys with the cannon just on the east side of Mud creek, four miles northeast of Lawrence, and it was safely brought to town, with no attempt to hinder. Poor, brave Bob Buffum was hung at Atlanta as a spy. He might have been a spy, but he died as "gamey" as John Brown.

At the Wyandot ferry of the Kansas river, a body of Pro-Slavery men were politely asked to assist the team by lifting on the wheels, to ascend the steep hill up the river bank. They peaked through the cracks of the boxes, saw some bright brass, pronounced it a Yankee cultivator, and pushed on it like heroes.

Again Captain Blood called to saddles: this time in pursuit of the murderers of Barber; but they fled to the pro-slavery camp beyond all hopes of capture. The policy of the people was that of defense. Regard for human life, as against a foe of more than double their numbers, dictated that policy. This aggravating murder aroused our people to a state of frenzy, and they were ready for the fray. Sound policy dictated otherwise. We were appealing to the sympathy of mankind in our great distress; and we could not afford to assume even the appearance of the aggressor. I believe we could have met them in the entrenchments and have conquered them; but we were at fearful disadvantages, with three hundred miles between us and hopes of re-enforcements, and all Missouri upon our borders.

The people of Kansas have done themselves great honor in honoring this humble patriot farmer, "his hut covered with snow," as he went down to death for human liberty, the first martyr after the first organized forces got into battle line to "make this country all slave, or all free." They have repelled the libel of thrones, autocrats and tyrants, that "republics are ungrateful," by inscribing his name on a tablet of gold in the House of Representatives, and naming a county of the State in his honor; but, perhaps, the greater honor has been conferred upon his memory by "the bard of freedom," John G. Whittier, in his pathetic poem, "The Burial of Barber," which will be read as long as freedom has a votary:

THE BURIAL OF BARBER.

Bear him, comrades, to his grave: While the flag with stars bedecked
 Never over one more brave Threatens where it should protect,
 Shall the prairie grasses weep, And the law shakes hands with
 In the ages yet to come, Crime,
 When the millions in our room, What is left us but to wait,
 What we sow in tears, shall reap. Match our patience to our fate,
 And abide the better time?

Bear him up the icy hill,
 With the Kansas, frozen still Paitence, friends! The human
 As his noble heart, below, heart
 And the land he came to till, Everywhere shall take our part,
 With a freeman's thews and will, Everywhere for us shall pray;
 And his poor hut roofed with snow. On our side are nature's laws,
 And God's life is in the cause
 That we suffer for to-day.

One more look at that dead face,
 Of his murder's ghastly trace! Well to suffer is divine;
 One more kiss, O widowed one! Pass the watchword down the line,
 Lay your left hands on his brow, Pass the countersign: 'ENDURE!'

Lift your right hands up, and vow Not to him who rashly dares,
 That his work shall yet be done. But to him who nobly bears,
 Is the victor's garland sure.

Patience, friends! The eye of God
 Every path by murder trod Frozen earth to frozen breast,
 Watches, lidless, day and night; Lay our slain one down to rest;
 And the dead man in his shroud, Lay him down in hope and faith,
 And his widow weeping loud, And above the broken sod,
 And our hearts are in his sight. Once again, to Freedom's God,
 Pledge ourselves for life or death

Every deadly threat that swells
 With the roar of gambling hells, That the State whose walls we lay,
 Every brutal jest and jeer, In blood and tears, to-day,
 Every wicked thought and plan Shall be free from bonds of shame,
 Of the cruel heart of man, And our goodly land untrod
 Though but whispered, He can By the feet of slavery, shod
 hear! With cursing as with flame!

We in suffering, they in crime, Plant the Buckeye on his grave,
 Wait the just award of time, For the hunter of the slave
 Wait, the vengeance that is due; In its shadow cannot rest;
 Not in vain a heart shall break, And let martyr mound and tree
 Not a tear for freedom's sake Be our pledge and guaranty
 Fall unheeded: God is true. Of the freedom of the West!

There was a great struggle for food, and many of the people were living upon chopped wheat, with the bran in it. As the men were making the dirt fly in the trenches, along came that patriotic old Irishman, Mr. James McGee. Looking at them a few moments, he exclaimed: "Work away, boys; work away; there are two thousand bushels of corn in Jimmy McGee's cribs, and while there is a bushel left, you shall not starve!" That little speech sent him to the Legislature.

A night ride, and a dangerous one, was that, as skirmishers patrolling the California road, from near Franklin* westward, up past where the State University now stands, a beat of three miles, back and forth, under the command of Col. Wm. Y. Roberts. We advanced too near the pickets of the enemy, and were halted by the guards. We had, however, but a quiet talk with them, and returned westward. About due south of Pennsylvania street, we met a man in the darkness, who sheared off to the north side of us, failing to regard the word "halt!" "Who are you? We don't want to hurt you," shouted Roberts. He answered: "I am an American citizen;" but went on. Roberts' command was: "You men in the rear, halt that man." As I was in the rear, I made the effort, wheeling my horse, and getting up to him, neck and neck with my horse and his mule. As I was a little behind him, on his left side, I

*As Franklin is frequently mentioned, and has no existence as a town now, it may be proper to state, that it was a village from three to four miles southeast of Lawrence, taken possession of by the Pro-Slavery forces, as headquarters.

could have broken his back, or his skull, with my Sharp's rifle; but no one had any desire to kill him, or even hurt him; and I attempted to grasp his mule's bridle, when he drew a large horse-pistol on me, and, as I relaxed on the bridle, wheeled to the right, and fired, and shots were exchanged as he got away. Another man coming up, says: "I believe I can bring him," and fired away. We had let him pass us entirely, and if he had politely told us any kind of a reasonable story, we should have bade him "good night," and allowed him to pass on his way in peace. The next day, we learned that he was Coleman, the murderer of Dow, and all his conduct was accounted for. We were too near the enemy's lines for pursuit. The mule was shot through the flank with a Sharp's rifle ball, and died the next day; but Coleman reported that the shot greatly accelerated its speed. Of course the murderer, if we had taken him, would have been likely to have been hung.

Much has been said about the "first shot of the war." Was this the first? To the people in the East, it is hard to realize that absolute war actually prevailed anywhere until Sumter was fired upon, but in Kansas the blood of many martyrs, and the lurid flames of many dwellings, testified that war existed, with all its consequences, from 1855 till 1865.

Let us try further for the first acts of the war. Gen. Lane was at Topeka immediately after the murder of Dow, and had no knowledge of the circumstances for two or three days beyond the rumors always afloat under

such circumstances. He leaves Topeka on the 30th of November, probably one of his usual night rides, and on the first day of December, invites Gen. Richardson to dine with him; and then writes "The First Letter of the War," as follows, fac simile reduced:

Dearest
Lawrence Dec 1. 1855

I am not fully posted as to all the facts connected with the transaction of which you speak have been about at Topeka when they occurred. My understanding however is - that a Free State man by the name of Dow was cowardly & brutally murdered by a gang of Bowdler men - near Willow Springs. That afterward they engaged in the murder for the purpose of getting up a difficulty in the Territory. Downed a peace movement against a man by the name of Brown a true great gentleman - that the Sheriff sent to Brown's house late in the night pointed his pistol at Brown's head & without showing his warrant compelled him to mount a horse & go with them - That on the road they

never met by an equal number of
Free State men who for all the
inquiries of Brown was in
the crowd he Brown announced
he was a prisoner they said
to him to come out which he
did — It is understood
this city is to be demolished
without delay & Dr. Starr will
be pleased to see you & your
family with the "baggage"

Yours a

Lane

Dr. Ainsworth

Wymouth

If Henry men burned it
was their act to prosecute
an enemy

This may very properly, we think, be claimed as the first letter written having any relation to the war for slavery. Let us epitomize history: The Civil War originated on, in and over Kansas. Gov. Shannon's proclamation of war, November 29, 1855—Gen. Lane at Topeka November 30, hurries to Lawrence that night, writes the foregoing letter December 1, the two armies stand in

battle array December 2—Pro-Slavery forces at Franklin besieging Lawrence, Lane in command at Lawrence, his troops in line of battle under drill, and large details of men making entrenchments for defense. The war, thus commenced, that day, never was relinquished till after Lincoln proclaimed emancipation, and Lee surrendered at Appomattox.

In the midst of all this, on December 2, Major-General Richardson and his staff, dined with Lane, while on their way to Lecompton, under orders to annihilate the town. What their conversation was is not known; but Lane was a diplomatist, and what they got out of him was undoubtedly more valuable to our side for its inaccuracies than advantageous to the enemy. They probably “swopped lies,” Lane getting “the boot.”

The conflict was remarkable for the harmony of the Free-State leaders. I was with the pickets on the outer line when Lane and Robinson passed it going to a conference with the Pro-Slavery leaders at Franklin, and hailed them as they advanced on their return. They signed the terms, and I heard of no disagreement among leaders, except with John Brown, who was bitter against any settlement, determined to fight to the death.

The letter to Dr. Ainsworth is highly significant. In “Kansas Historical Collections,” Vol. 4, page 413, will be found an account of a pretended expose of a secret society, by Dr. A. J. Francis, in which he says:

At public gatherings, if there is danger, a member or officer arises, and asks as follows: “Is Dr. Starr present? If so, he is wanted at

——," (naming the place;) and it is the duty of members to repair to that place without attracting any attention whatever from any other person, in all cases taking their arms with them.

Dr. Starr was promptly on hand with "the baggage."

Of course, as I have said, there was dissatisfaction with Lane as to his political record; but his military conduct of the campaign won the applause of all parties; and he was hailed as the military leader who had saved us from annihilation.

The Treaty of Peace is annexed, that all may judge of the terms of settlement :

WHEREAS, There is a misunderstanding between the People of Kansas, or a portion of them, and the Governor thereof, arising out of the rescue, near Hickory Point, of a citizen under arrest, and some other matters ;

AND WHEREAS, A strong apprehension exists that said misunderstanding may lead to civil strife :

AND WHEREAS, It is desired by both Governor Shannon and the citizens of Lawrence and vicinity to avert a calamity so disastrous to the interests of the Territory and the Union; and to place all parties in a correct position before the world; now, therefore, it is agreed by the said Governor Shannon and the undersigned, citizens of said Territory, in Lawrence now assembled, that the matter now in dispute be settled as follows, to wit :

WE, the said citizens of said Territory, protest that the said rescue was made without our knowledge or consent; but that if any of the citizens of the town of Lawrence have engaged in said rescue, we pledge ourselves to aid in the execution of any LEGAL process against them. That we have no knowledge of the previous, present or prospective existence of any organization in said Territory for the resistance of the laws; and that we have not designed and do not design to resist the LEGAL service of any criminal process therein; but pledge ourselves to aid in the execution of the laws, when called upon by the proper authority in the town or vicinity of Lawrence; and that

we will use our influence in preserving order therein; and we declare that we are now, as we always have been, ready at any time to aid the Governor in securing a posse for the execution of such process: Provided, That any person thus arrested in Lawrence or vicinity while a foreign force shall remain in the Territory, shall be duly examined before a United States District Judge of said Territory, in said town, and admitted to bail. And provided further, that all citizens arrested without legal process, by said sheriff's posse, shall be set at liberty. And provided further, that Governor Shannon agrees to use his influence to secure to the citizens of Kansas Territory remuneration for any damages suffered, or unlawful depredations, if any have been committed by the sheriff's posse in Douglas county. And further, Governor Shannon states that he has not called upon persons resident in any State, to aid in the execution of the laws, and that such as are here in the Territory are here of their own choice, and that he does not consider that he has any authority or legal power so to do, nor will he exercise any such power. And that he will not call on any citizens of any other State who may be here. That we wish it understood that we do not express any opinion as to the enactments of the Territorial Legislature.

WILSON SHANNON,

C. ROBINSON,

J. H. LANE.

The gist of this document is: "That we wish it understood that we do not express any opinion as to the enactments of the Territorial Legislature." This dividing line must be kept in view always, by all men, that that Territorial iniquity is never to be tolerated. And then, on the part of the Governor, is the admission that the force against us was an invading enemy, the protest that they were here without his authority, the promise that they should never be used again, and finally, through his order, the whole power of the United States, arrayed under the American flag, to drive them from the soil

which they had desecrated ; and on the part of the people was the promise of obedience to United States courts, loyalty to a flag which it was always the pride of every true KANSAN to swear by.

It has been said, and often repeated, and there are still men who assert the truth of the statement, that Lane got a high public functionary in a state of intoxication, and partook pretty freely himself to do it, while others say he drank out of the wrong bottle, and was not hilarious from over-stimulation, in order to secure the following document :

TO C. ROBINSON AND J. H. LANE, Commanders of the Enrolled Citizens of Lawrence :

You are hereby authorized and directed to take such measures and use the enrolled force under your command in such manner for the preservation of the peace and the protection of the persons and property of the people in Lawrence and vicinity as in your judgment shall best secure that end.

WILSON SHANNON.

LAWRENCE, December 9, 1855.

It will be seen here, that Gov. Shannon had been brought to a clear realization of the situation. The very presence of his troops was evidence that they were not a body of Kansas citizens who were running riot against the laws ; but a body of insurgents from Missouri, thirsting for the blood of innocent men. In fact, Shannon was naturally a humane man ; but, as he advanced through Missouri, on his mission as chief executive of Kansas, he was misled by false accusations against the "abolitionists" as law-breakers ; but he had never before seen his "army" in battle array, and when he dis-

covered that not one-tenth of them were bona fide citizens of the realm he was commissioned to govern, self-respect compelled him to declare that "he has not called upon persons resident in any State, to aid in the execution of the laws, and that such persons as are here in the Territory are here of their own choice," and he admits that he has no legal power to call on them, and promises that he will not "exercise any such power." The Free-State men conceded no important point, but the high contracting parties expressly declared: "We do not express any opinion as to the enactments of the Territorial Legislature."

It was not ten minutes after Lane got this order, till he was in the streets in great glee, exclaiming that we were now "United States dragoons," addressing the ragged battallion of Free-State horsemen, and calling them "into line for action." He had represented truly, that a horde of invaders were hovering around for massacre and depredation, and the John Gilpin ride which we gave them, in the direction of the Missouri line, was more amusing than dangerous. And thus ended the Wakarusa War.

CHAPTER V.

SPEECHES THAT STILL SPEAK.

The first conflict in the struggle against the despotism of the slave-power having so propitiously terminated, comparative peace reigned, and preparations were being made for the severities of what turned out to be the severest winter Kansas ever experienced ; and the struggle against want and the elements was a desperate one. The elements of discord were greatly subdued by our sufferings on the brink of destruction, and the guerdon of noble deeds, well done, was almost universally awarded to Gen. Lane for services which no other man could have given—not because there were not men there as patriotic and as self-sacrificing—but because of a war experience which no other man possessed. That spirit of gratitude always born of trouble went out from every heart, to the greatest and the humblest participant in our preservation.

The first martyr of the war was buried temporarily ; but on the 15th of December, a public funeral was given to the remains of the lamented Barber, at which Rev. L. B. Dennis officiated, and Lane and Robinson made

short speeches. It is a misfortune to posterity that these speeches were not all reported. Mrs. Hannah A. Ropes, a ministering angel in all our troubles, a woman of culture, of great descriptive powers, but with all the New England prejudices against Lane emphasized in her heart, has written an incomparably graphic account of that funeral, in which she has immortalized Lane in five words: "Even Colonel Lane did well." To know Mrs. Ropes and read that, is to impress the reader with a funeral oration of great power, pathos and eloquence.

On the 11th of December, the volunteer companies took their departure for their homes, after being addressed by Generals Robinson and Lane, in speeches which still speak the unbiased history of the times:

SPEECH OF GEN. CHARLES ROBINSON.

From the Herald of Freedom, December 15, 1855.

FELLOW SOLDIERS: In consequence of a "misunderstanding" on the part of the Executive of this Territory, the people of this vicinity have been menaced by a foreign foe, and our lives and property threatened with destruction. The citizens, guilty of no crime, rallied for the defense of their families, their property, and their lives, and from all parts of the Territory the true patriots came up, resolved to perish in the defense of their most sacred rights, rather than submit to foreign dictation. Lawrence and her citizens were the first to be sacrificed, and most nobly have her neighbors come to her rescue. The moral strength of our position was such that even the "gates of hell" could not prevail against us, much less a foreign mob, and we gained a bloodless victory. Literally may it be said of our citizens, "they came, they saw, they conquered."

Selected as your commander, it becomes my cheerful duty to tender to you, fellow-soldiers, the meed of praise so justly your due. Never did true men unite in a holier cause, and never did true bravery

appear more conspicuous, than in the ranks of our little army. Death before dishonor was visible in every countenance, and felt by every heart. Bloodless though the contest has been, there are not wanting instances of heroism worthy of a more chivalric age. To the experience, skill and perseverance of the gallant Gen. Lane all credit is due, for the thorough discipline of our forces, and the complete and extensive preparations for defense. His services cannot be overrated; and long may he live to wear the laurels so bravely won. Others are worthy of special praise for distinguished services, and all, both officers and privates, are entitled to the deepest gratitude of the people. In behalf of the citizens of Lawrence, in behalf of the ladies of Lawrence, in behalf of the children of Lawrence, in behalf of your fellow-soldiers of Lawrence, and in my own behalf, I thank you of the neighboring settlements for your prompt and manly response to our call for aid, and pledge you a like response to your signals of distress. The citizens who have left their homes, to come to our assistance, have suffered great privations and many discomforts and expenses, while the citizens of Lawrence have incurred heavy expenses; but all has been submitted to without a murmur, and in a spirit worthy of a people engaged in a high and holy cause.

The war is ended, our duties are discharged, and it only remains for me, with the warmest affection for every soldier in this conflict, to bid you adieu, and dismiss you, to go again to the bosoms of your families.

SPEECH OF GEN. JAMES H. LANE.

From the Herald of Freedom, December 15, 1855.

FELLOW SOLDIERS: You assembled to vindicate the right—to defend this city and inhabitants of the Territory against threatened destruction.

Well and gallantly have you discharged that duty. The tocsin of war is no longer heard from the besieging army; they have returned across the border from whence they came; our fortifications are not demolished; those beautiful buildings still remain to ornament our city, and accommodate our citizens. You still retain the rifles you know so well how to use. The ladies—God bless them!—are still among us, to encourage manly and chivalric deeds.

You have won a glorious victory by your industry, skill, courage and forbearance. In these fortifications, wrought as if by magic, you took your position, there determined never to surrender while a man was left alive to pull a trigger; with a desperate and wily foe almost in your midst, you restrained your fire—determined to continue them in the wrong, and compel them to commence hostilities—to take all the responsibility of a battle which you believed would shake the Union to its very basis. The beseiging army had time to ascertain our true position—found that position just and honorable; that there was no good cause of complaint against us; and having marched into Kansas, marched out again, leaving us occupying the identical position we did when the invasion was made.

While congratulating ourselves upon our success, let us not forget the gallant Barber, who fell in the discharge of his duty. He was a noble spirit, worthy of the cause for which he bled. Had he fallen upon the battle field in manly combat, we could not have complained. While we forgive, we cannot forget his cowardly and brutal murder. Long may his manly bearing be remembered by all true men.

For the honor you have conferred upon me, in electing me to the position I hold, you have my thanks. The duties I was called upon to discharge were arduous. I have endeavored faithfully to discharge them; you are the judges as to the success of my efforts; to your decision, I cheerfully submit.

From Major-General Robinson I received that council and advice which characterizes him as a clear-headed, cool and trustworthy commander. He is entitled to your confidence and esteem.

The officers associated with us have discharged their duty, and are entitled to your thanks, and the thanks of the friends of human rights throughout the world. They are gallant spirits worthy of you and the cause in which they were engaged.

For days and weeks we were impressed with the belief that our hands were to be imbued with the blood of our brethren, while we were determined manfully and to the death to defend our hearth-stones. Our hearts bled in contemplating the dreadful alternative. The fearful crisis is passed, and, we earnestly hope, never to return. Our Missouri friends understand us and our cause better than when they

came, and will not again permit themselves to be stirred up in anger against us.

That beloved Union, for the safety of which we trembled, will not again we trust, be imperiled by a foreign force from a sister State invading our Territory. They must and will see the impropriety and injustice of meddling in our affairs until they become our fellow-citizens.

These addresses are history. No pen can unwrite it, no order expunge it, no besom of destruction sweep it from the records. We had just passed through a fearful ordeal—bloodless, it is true, with a single illustration of barbarity, which would have followed a victory on our part, had we achieved one, sending home to Missouri a few scores dead, to aggravate their animosities—if a more merciful fate had awaited our defeat. Every nerve had been strained to strengthen our defenses and encourage the men. On the 5th of December, Lane sent by dispatch, the following to Hon. Charles A. Foster, then of Osawatimie, now of Quincy, Massachusetts :

LAWRENCE, Dec. 5. 1835.

We want every true Free-State man at Lawrence immediately. This is but a specimen. They were sent everywhere where succor could be hoped for. And then he went among the men, harranguing them with an inspiration equalling the action of the Corsican at the bridge of Lodi.

The speech of Lane bristles with patriotic sentiments, a love of Kansas and of the Union, with which his after life was adorned in the forum and on the field.

There is a wise provision of law, which recognizes as the safest and the sublimest evidence, the statement of

the dying man, facing his God and looking into Eternity. Thus the witnesses stood. In its best aspects, a terrible calamity had been but barely escaped. Two hundred miles and more of as implacable an enemy as ever stood in the pathway of civilization, were between us and possible hope of help, ready to break out in all the savagery of the Lawrence Massacre. And as long as the story of Kansas is told, it will read :

"TO THE EXPERIENCE, SKILL AND PERSEVERANCE OF THE GALLANT GENERAL LANE, ALL CREDIT IS DUE FOR THE THOROUGH DISCIPLINE OF OUR FORCES, AND THE COMPLETE AND EXTENSIVE PREPARATIONS FOR DEFENSE. HIS SERVICES CANNOT BE OVERRATED."

CHAPTER VI.

CONTINUED OUTRAGES IN THE WINTER OF 1855-6.

Comparative quiet prevailed during the winter of 1855-6. The first election of State officers and the Legislature under the Topeka Constitution, which took place January 17, created considerable excitement nearly all over the Territory. In the interior towns, as Lawrence, Topeka and elsewhere, the Free-State party was too strong for successful opposition. In the river towns, as Leavenworth, Atchison, Wyandotte, Sumner, Kickapoo, Doniphan, and elsewhere, the opposition was very bitter, and backed by considerable strength. At Easton, twelve miles west of Leavenworth, a mob interfered with the election; and the next day, Stephen Sparks and his son, Free-State men, were captured going home from election. Capt. Reese P. Brown went to their assistance, and rescued them. He and others were captured. Brown was a heroic man, true as firm. They released the others, or they got away; but they taunted, if they did not assault Brown, a helpless prisoner. I think they did personally insult him by words and buffet him, to provoke him to fight, which he offered to do, if he could have any show

of fair play. At any rate, the Pro-Slavery men claimed he got into a fight. He was assaulted and gashed with hatchets; and on an excessively cold night, was jolted home in a lumber wagon, where he was merely able to say to his wife that he had been "cruelly murdered without a cause." He had just previously participated in the Wakarusa War. I spent a night of peril with him patrolling the old California road as skirmishers. He was reticent, as well as a stranger personally to me, though I had heard of him. He cautioned me of danger, and prevented me from hailing and halting a man, saying he was too far off. The man was undoubtedly a messenger, carrying dispatches between the camps of Lecompton and Franklin. Brown was a Kentuckian, with something of the Southern dialect, and I became suspicious that he might be a disguised enemy, and was greatly pleased when we were relieved by change of guards, and better pleased when I found who my comrade was.

In some places, the voters resorted to a "pocket vote," the election boards being broken up, and the judges going among the people personally, and taking their votes at their homes.

Two days after his death, Brown was quietly buried on Pilot Knob, near Leavenworth, by a few courageous friends. Notwithstanding President Pierce's fulmination of a special message to Congress, declaring the Topeka government revolutionary and an act of rebellion, Gen. Lane, as Chairman of the Executive Committee,

announced the result of the election by the adoption of the Topeka Constitution. Jefferson Davis, Secretary of War, issued orders, calling the organization "insurrectionary," and commanding the officers to "disperse and retire peaceably" before they met. Nevertheless, the Legislature met, and, on the first day, by unanimous vote, elected James H. Lane and Andrew H. Reeder United States Senators, and memorialized Congress for admission into the Union.

The threats of demolition and destruction against the property and lives of everybody daring in the mildest manner to utter anti-slavery sentiments were still kept up. The Territorial Register, a conservative Free-State paper at Leavenworth, was thrown into the Missouri river, and innumerable outrages committed upon persons and property. To add to the horrors of the situation, the severest winter ever known in Kansas set in upon us. The day of the convention to nominate State officers (December 22) was so mild in the forenoon that the assembly sat in comfort out of doors; at noon a storm struck us with such fury that we were driven into the unfinished dining room of the Free-State Hotel; and before night, delegates were making desperate efforts to get feed to their horses, tied in the woods, across the Kansas river, with but little success; and for years, the gnawed saplings were pointed to as the poor beasts' abode of suffering. The next morning, men and horses crossed on the ice. Snow fell to the depth of two feet; sleds were improvised for business, and the sturdy Northerners

faced the wintry blasts, thanked God for the breezes, which drove the Southern invader to his lair, to ruminate over disaster and defeat to his cause; and, even in all the distress, business revived, and the Kansas City and Leavenworth merchant prospered; the sawmills re-kindled their fires, and the ice above where Bowersock's dam now turns the pent-up waters upon the machinery of the city, was strewed with hundreds of logs, burr-oak, black walnut, hickory, hackberry, linn and cottonwood; and Col. Whitman was building a church, and Col. Eldridge was finishing a hotel for the Vice President of the United States to batter down the next May.

As we go along, let us remember, that in the civilizations of the world, perhaps, no such two conflicting forces ever met—certainly no two in a republican form of government like ours—as met upon the plains of Kansas. To us, “slavery was the sum of all villainies”—to them, it was the apple of their eye, property proportionately more sacred than their flocks and herds as it was more valuable. To steal a horse, morally speaking, was petty larceny; to steal a negro, embraced the concrete of all the crimes—piracy, robbery, murder, rapine—and, therefore, they furnished the proof of this theory by a solemn statutory enactment making it death to feed or harbor a negro, while the mere expression that he might be free was punishable by hard labor in the penitentiary not less than two years, and on indefinitely, tempered only by the temerity of the offender, or the mercy of a court which such lawmakers might constitute; but that

law was backed by a public sentiment which waited not upon the tedium of courts, but "hung the accused first, and tried him afterwards," as they did Jacob Cantrel, a Missourian, for "treason to Missouri," because he inscribed on his wagon cover "Kansas a Free State;" or as Fugit shot and scalped Hoppe. It was the survival of the fittest.

I have referred to what might have been the eventual result of a victory in the Wakarusa War. I believe, in case of an attack within our entrenchments, the battle would have been ours; but when the dead went back to Missouri, in their exasperation, they could have thrown ten thousand men into Kansas, and might have turned our victory into a calamity, and ante-dated the Lawrence Massacre seven years, and its numbers limited only by the number of resistants.

From the last of April till September 26, 1856, I was absent, and during that period I only know of events by reading and personal information from my family and friends who remained.

I was engaged in the rescue of Samuel N. Wood on the 19th of April. Being informed by Charles F. Garrett that Wood was arrested in the law office of James Christian, I walked in a perfectly perfunctory manner towards the office, all the time persuading Mr. Garrett to keep out of the difficulty, as he and I were in business, which any interference would break up. His reply was: "But if they take him to Lecompton, they will kill him." "Oh," I said, "there is more danger that Jones will be

thrown in the river than that he will be allowed to take him away ; and there are plenty of young men, whom nobody will ever be able to identify, who will rescue him without us involving ourselves." But as I came to the door, Jones stood holding him by both wrists, while Wood was asking to let him see his family before taking him away, pledging himself to return in ten minutes, saying he could put all the guard around his house he pleased. "Will you give yourself up?" said Jones. Wood replied: "No. I do not recognise your right to take me ; but I will put myself in precisely the position I am in now." "Then you cannot go," said Jones. "I will go," said Wood ; and suiting the action to the word, with a sudden twist of his hands, he jerked loose, quickly making for the door. Jones jumped for him, and caught him by the collar just as he reached me at the door ; when, impromptu, and apparently without reflection, I caught Jones by the throat and Wood by the coat collar, and saying, "Get away, Wood," he left ; but as I caught Jones, Wood quickly twitched his revolver from him, and he was disarmed. Jones' three deputies undertook to interfere ; but James B. Abbott laid one of them down on the ground very hard ; Charles F. Garrett swung another off the porch by the coat tail ; and Sam. F. Tappan throttled the third. Jones made some threats of what he would do yet ; and then there were cries, "Put him in the river !" just as I expected. I did all I could to pacify the crowd, telling them enough had been done, and appealing to them to "be orderly, and let the Pro-

Slavery men commit all the outrages." One of his deputies pawed the air in great excitement, exclaiming: "That's enough! that's enough! The law has been violated, and the officers resisted." The multitude quieted, and Jones and his posse went peaceably away. Jones reported officially that he had been resisted by a mob.

The following Sunday, April 20, Jones made a descent on the city, with a posse of ten men. The first effort was to arrest Mr. Tappan, (he who was afterward Colonel of the First Colorado, and a member of the Peace Commission under President Grant,) but Tappan resisted; and then, "there was a splendid chance for fun," as the boys remarked, Rev. S. Y. Lum was preaching in the hall hard by. It was "the church militant and the church triumphant"—and the church *a la militaire*, for that matter; for they were nearly all armed. The audience almost fell over each other in their attempt to reach the scene; and the preacher was not more than a length behind, accusing Jones of breaking up his church. Finding that he was foiled, and "discretion the better part of valor," Jones "stood not upon the order of his going, but went at once."

It was said that the redoubtable sheriff selected Tappan as his first victim because he was reputed to be a non-resistant. However, I do not know how that might have been. If so, as a member of the Bogus Legislature had knocked Tappan down, he changed his mind, and put on two revolvers. The offense he committed was in

calling that astute body a Nero Legislature; and as the member had never heard of Nero, he thought he meant a negro Legislature, and no mortal member would stand such an insult as that!

On the 23d of April, Jones returned with a company of United States dragoons. The troops were generally our friends, and watered their horses at all the wells where there was a horse that would drink at all; and all who knew of anything they had done, got notice in time to run; and I fled for safety to the Delaware Indians. Jones advanced on my house, formed a hollow square around it, and made a search. He then took about ten innocent men who were never suspected, and, to show that he was "master of the situation," camped in the town, where the Bowersock opera house now stands, diagonally northeast from the Eldridge House. That night he was shot, and was supposed to have been mortally wounded; but he recovered. The citizens denied all knowledge of who did it, and held a public meeting, passing resolutions condemnatory of the act.

The Deputy Sheriff, Sam Salters, took command, and twice formed a hollow square with troops around my house. The first time, he was insolent, abusive and profane; and I advisd Mrs. Speer, if she saw his hosts coming, to make no resistance, but to barricade the door, and compel him to break it down. This she did; and, as he uttered a volley of profanity, she indignantly cast a dipper of water in his face. The dragoons laid back in their saddles, and laughed and cheered. This so pro-

voked him that he pulled a revolver, swearing he would "kill the abolitionists." Then the lieutenant ordered him away, rebuking him, telling him no man should insult a lady in his presence. He dismounted, tapped on the window, and politely requested her to open the door. She replied: "If you are a United States officer, I will; if you are a Border Ruffian, you will have to break the door down." "I assure you, madam," said the officer, politely, "that I am a United States officer, in discharge of a very disagreeable duty." She stepped to the door and opened it, inviting him to search everywhere. He made a very inefficient search, pleasantly remarking about the bright morning, the babe in the cradle, and her four pretty children around the fire, and retired. Salters told him he had left a little room unsearched. I was not there. I met him on the road alone once before, with a Sharp's rifle on me. If he had commanded me, I would have followed him, as we had all sworn a solemn oath to resist no United States authority, and about as solemn an oath to resist all other authority. He afterward told a lady, he never was more afraid of anything than to enter that house. "Did you think he would kill you?" "No. I met a polite lady, in a neat house, with five nice children, one of them a babe in a cradle; and I was shocked at the idea that I might have to take him away." He was Lieutenant McIntosh, afterward Gen. McIntosh, of the Southern army, killed at the Battle of Cabin Creek. It is painful to think that so polished a gentleman should die in such a manner.

President Buchanan appointed Jones Collector of Customs at El Paso, Texas; and President Lincoln selected Wood for his successor. It became too hot for either of them. Quantrill robbed Jones at Black Jack, while he thought he was in the hands of the "abolitionists."

Jones became a quiet business citizen of Arizona, and died there. Twenty-five years later, as I sat in the Planters House, at Leavenworth, a gentleman extended his hand, saying, "Is not this Mr. Speer?" He was Sheriff Jones. We passed out onto the veranda, and had a long and pleasant talk over old times. I asked him if he ever imagined it possible I could have had anything to do with the attempt on his life. Most emphatically he replied: "No. I always recognized you as a gentleman; and that was a dastardly attempt at assassination." With pleasant memories, and hearty congratulations, we parted, never to meet again.

Major James B. Abbott has written the following account of the Wood rescue as he saw it:

It so happened that I had come in from my claim that day, and noticed one man in Sheriff Jones' posse, who had been a passenger on a steamboat with me from St. Louis to Kansas City, who, with his partner, had taken passage for the express purpose of capturing a lot of Sharp's rifles which they expected to find on board of the boat, but which had been shipped, by my direction, on a boat which started two days before we did. So that plan failed. The same man was in the posse that arrested Branson; but the prisoner was discharged before he arrived at the justice's office; and so I made up my mind, if this unlucky rifle hunter attempted to work an oar in any business in which I or any of my friends had an interest, I should try to discourage him. Quite a crowd had gathered near the office of Dr. J. N. O. P. Wood,

wanting to see who was to be arrested ; for all the rescuers [of Branson] had been threatened. After a while, I saw Sheriff Jones had clinched Wood, and Wood was apparently making an effort to get away. Soon Mr. John Speer, who was coming along the street, noticed what appeared to be an affray, and commanded the peace, and attempted to separate the combatants by pushing them apart. At this time I noticed my rifle hunter was getting somewhat uneasy, and apparently disposed to take a hand in the business ; and so I quickly picked him up and carried him back to the rear of Dr. Wood's office, and laid him on the ground and held him there until the excitement was over. When I came back on the street, the Sheriff was complaining that he had lost a pistol. Wood was gone, and some one said that Wood had found the pistol in one of the Sheriff's pockets. The talk among the by-standers was, that Mr. Speer, having been appointed a Justice of the Peace by Governor Reeder, it was his duty as a peace officer to prevent hostilities on the streets.

Dr. Wood and James Christian had their offices in the same room.

This is a succinct, but clear and explicit statement from Major Abbott, who was marked for vengeance on account of his leadership in the Branson rescue. At a later period, he led a party of about a dozen men in the rescue of Dr. John Doy from the jail in the city of Saint Joseph, Missouri, where Doy had been convicted of negro stealing, though the offense, if there was any, was committed in Kansas.

The statement which I made that I was a Justice of the Peace preventing a street fight, was a mere joke. To the charge that I had resisted an officer, I jocosely replied, that my commission as justice ran to the end of the first session of the Legislature ; and as there never had been a legal legislature, my time had not expired ;

and I had stopped Jones and Wood in a street fight. The Pro-Slavery men carried that joke a little too far by reporting it to the Grand Jury, which astute body called in the Attorney General; and that more astute official very gravely instructed them that the mere resistance of an officer was not treason, but where it was done under the pretence of the authority of a defunct office, it was treason; and I was indicted for treason; but I objected to carrying the joke any further, and was never arrested.

CHAPTER VII.

ANECDOTES OF LANE AND HIS COMPEERS.

Gen. Lane had been brought up in the Methodist Episcopal church under a scrupulously pious Methodist mother, though the tergiversations of so active, ardent, shrewd—not to say tricky—a politician, cast some doubt upon him as a consistent “brother;” but in Kansas, the Methodist church was one of the most important factors in the destruction of slavery, and the slavery question was the alpha and omega of Kansas politics; and no man grasped that idea with more tenacity than Lane. Quite a number of his mother’s local church had preceded him to Kansas, and the church members began to call on him and occasionally he exhorted in church meetings. A story was told that, at a revival, in the old Methodist church at Lawrence, he and Col. Hamilton P. Johnson, of Leavenworth, both made exhortations, and Lane had just completed a most pathetic appeal to sinners, in which he had spoken of the happiness with which the Christian died under all the circumstances of life. He had seen the Christian die in the palaces of wealth and in the humble cabins of the pioneer; and

he always died happy. He had seen him die upon the battle fields of Mexico, and in the mansions of luxury and wealth—no matter where he died, he always passed away in happiness, and went to glory. Just then a man whom we shall call Mc, in a state of intoxication, hearing the words of Lane and Johnson, and taking it to be a political meeting, staggered in, and, addressing the preacher in the pulpit, said: “Mr. President: Since the (hic) gentleman has mentioned the (hic) battle of Buena Vista, (hic) I was there myself (hic) and fought and bled—and died nary a time!” Some of the church members took Mac by the ear and led him out; but not without his yelling back, that he could not see why he had not as good a right to speak as Jim Lane or Ham Johnson! Johnson was a retired Methodist preacher, and considerable of a politician, who afterwards became a colonel in the army, and was killed at the Battle of Morristown, Missouri.

The Methodist church had gone through the ordeal of a division between the North and the South; and but a small portion of the Southern division remained in Kansas. The Northern branch had been twice baptised—baptised in the faith of Wesley, and baptised in the principles of that great leader, who declared that “slavery was the sum of all villanies.” The disruption of the church made all these Methodists objects of antagonism, and they were marked as enemies by the whole Pro-Slavery organization. On the other hand, I have seen thirty or forty men, most of whom cared nothing

about that church, and some of them caring for no church and no religion, go to a campmeeting, armed to the teeth, swearing that no Methodist assembly should be insulted and broken up while they lived. The first Methodist conference came together under great apprehensions of violence, and with the distinct assurance that it should be protected. The Wakarusa campmeeting was one of our institutions sacred to liberty, and many anecdotes were mixed with its religious history. It was at a great Palmyra campmeeting that Lane was converted, or said to have been converted. His prominence in politics, and his peculiarities of character, made him the religious butt of the waggish tongue everywhere, and various were the stories of his "experiences." Far be it from me to ridicule sacred things, and I hope these recitals will escape such criticism. The stories must be taken with the usual degrees of charity, and considered as the Christian looks upon all apocryphal stories; as he reads the Maccabees, Susanna and the Elders, or the account of Judith and old Holifornes, where that virtuous virago cut his head off with his own falchion, and threw the gruesome object into the basket of her maid, and the two went shouting over the hills to Jerusalem.

Mr. Dallas, the Topeka lawyer, has given me the best version of it, and this may be rather suspected apocryphal. Dr. Dallas, his father, was a devout Methodist, and an ardent friend of Gen. Lane; and the young man came home from school during a campmeeting, and having a great desire to see Gen. Lane, who, he was

told, was at the camp, he hunted up Silas Soule, a young friend, and requested him to go with him and point the noted man out. Now Sile was a bad boy. There are bad bad boys and good bad boys—and Sile was of the latter kind—on mischief bent, with no bad intent—

Neither a man nor a boy,
But a hobbledehoy.

“Yes, I know him,” said Silé; “the old rascal is at the headquarters tent praying now. Come on.” On they went. The tent entrance was crowded beyond the possibility of passage; but they found a crack in the boards—and there he was, down on his knees, in extreme solemnity. The usual exhortations were delivered, one after another speaking, with all the pious responses which deep devotion always prompts. Finally, Lane arose slowly, and looking seriously over the congregation, commenced a most pathetic exhortation, referring with great solemnity of manner to the teachings of his sainted mother, long since gone to the heavenly rest. He dwelt upon her infantile lessons, when she taught him to kneel at her knees, and repeat the child’s lesson:

Now I lay me down to sleep—
I pray the Lord my soul to keep;
If I should die before I wake,
I pray the Lord my soul to take.

And on that text he touched every heart—leading them up, gradually, to his advancement in age, when she taught him the Lord’s Prayer. This he recited: “Our Father who art in Heaven: hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in

Heaven." Then he followed it up in almost tragic accents, praying that the will of the Lord might be done here and now and everywhere "as it is in Heaven." And he stirred that audience, as our informant tells us, who had heard many of the greatest revivalists of our times, as he never had witnessed. The pathos and effect of that address is indescribable. As he concluded, he sat down, bowed forward, with his face in his hands, as all his friends have so often seen him, in deep meditation. Then the minister carried on the meeting, exhorting the people against all the vices that humanity is heir to; but eventually turning upon the vice of tobacco, until his eloquence made a deep impression, and seemed to move visibly that great man to a sense of his besetting sin; when, reaching down under his vest, with his head still in prayerful attitude, he pulled forth about a foot of dog-leg tobacco, and passed it up to the preacher without raising his head. As the preacher took that plug in his hand, a new inspiration seemed to seize him, as he exclaimed: "Glory to God! This great man who has led the hosts of his country in battle, stood upon the forum of the capitol, and in the serried ranks of war, has given up his last idol, and surrendered his heart to the Lord! We will cast this vile weed to the four winds of heaven!" And, suiting the action to the word, he flung the dog-leg afar into the bushes surrounding the camp. Then, in spontaneity, the whole audience broke forth in shouts of song, "Praise God, from whom all blessings flow."

In time, the touching scene was ended, and all went their several ways with happy hearts rejoicing. But Sile and young Dallas remained, sauntering over the camp in silence, till Sile said: "Let us go over and find that tobacco." They searched through all the brush and weeds, but the weed of all weeds was lost. The next day, Mr. Dallas went to a Lane caucus, and found him discussing politics and chewing apparently the same dog-leg piece. He had "backslidden." When he went into the Senate, he entirely broke off from the habit, and was as dignified as any Senator.

This story ought to be true; for we have since been reliably informed that the relator came very near being whipped by his Methodist father for slandering his friend. It fails also in the fact that he has furnished no proof as to where he got so much tobacco; for he never had but one chew at a time, and borrowed all the tobacco of the troops who were being used as a posse comitatus by the Pro-Slavery officers for his arrest. Many a soldier has given him, and all the Free-State men, the hint of danger.

With all his oddities, he had a firm faith in the Christian religion. Dr. Brooks, a Pro-Slavery man, and a Virginian, had great personal admiration for him; but, not knowing how a visit by him would be taken by Lane, asked me to accompany him. Lane was pleased, and the visit was a delightful one, continued quite late. Our ways separating at the gate, we stood awhile quietly talking, when all at once, Dr. Brooks called my atten-

tion to solemn sounds. All alone, he was teaching his child the Lord's Prayer. His religious ideas ran even to superstition; and especially to an overruling influence by the spirit of his mother. A few friends, at Washington, deputed me to invite him to visit with them the celebrated spiritualist, Foster, which he declined, telling me, in confidence, and all seriousness, that he believed his mother would appear to him, and he would break down, and it would be quoted against him as an evidence of weakness. In all his plans of politics, one of his most confidential advisers was a distinguished Methodist minister, accompanying him on long journeys.

When the first street cars were placed upon Pennsylvania Avenue, in 1862, cars were run with a placard, in large letters, "For Negroes," and no negro was admitted on the white cars except as a servant, accompanying a mistress or children, and the servant was compelled to stay on the platform, while the mistress or child went inside. One day, in Lane's presence, a young colored girl appeared with a child; the child was pushed into the car, and the girl kept on the platform, the affrighted infant screaming for its nurse. Lane opened the car door, and said to the nurse: "Come in and take care of this poor child." The girl protested that they would not let her. "I will see that nobody hinders you," said Lane, taking her by the arm and leading her in. The conductor interfered, threatening to inform on him. Lane promptly said: "Attend to your business, or I'll drive this car to the headquarters, report the case, and

see that a bill is introduced to repeal the charter of this road." The girl staid on, and the conductor reported. The company investigated it far enough to find that Jim Lane was the offender, and was preparing a bill to repeal the charter or control the road. They took the cars off, and a negro car has never run since.

One bright forenoon, in 1862, I was walking down Three-and-a-half street with him, when he struck a stage attitude so suddenly that I feared he had taken a spasm, as he exclaimed, pointing his long bony finger toward the sun: "That is the most important sun that has ever arisen upon Kansas. Before it sets, prospective, untold millions will be added to our wealth!" That afternoon the Pacific Railway bill passed.

In the troubles of 1855, Messrs. ——— Wemple and William Ross, brother-in-law and brother of Ex-Senator Ross, brought to Lawrence, from Shelby county, Missouri, a free colored man, with all his certificates of freedom regularly certified and sealed by the officers of the proper court, and a white Missourian named David Evans, as farm hands. Evans was a Free-State man of very marked characteristics. The Pro-Slavery men expressed doubts about the freedom of Jonas, the negro, and wanted to investigate "the nigger-thieves." Dave took it up, and armed to the teeth with bowie-knives and revolvers, drove them off. Lane heard of him and his prowess, and hired him for fifteen dollars a month "just to stand around and accommodate ruffians spoiling for a fight." He was known as Buckskin, because he wore a

buckskin suit, and he was ready for a fight either "fist and skull, or with the cold steel and malleable iron." His first job of "fist and skull" was on Luke Corlew, a noted bully, whom he pounded terribly, tore his clothes from him, and ran him, half-naked, out of the town. They gave Buckskin a wide berth after that—shied away from him; and for a long time, he was a terror to all of them.

In the second Lincoln campaign, as I was sitting in Lane's room with Hon. J. C. Burnett, of Kansas, a very intelligent Cincinnati Republican came in to interview him in behalf of Gen. Fremont for the Presidency. He argued the matter with great ability, and still greater persistency; and Lane heard him very attentively. As an apparently final appeal, the German assured him that the entire German-American population were for Fremont. Looking that honest German squarely in the eye, Lane very gravely replied: "That is the reason I am opposed to your movement. It is unpatriotic and clan-nish. We should be neither German-Americans, Irish-Americans, Scotch-Americans or Swedish-Americans, but all Americans; and as a German, I protest against it." Whether the smile upon the countenances of the audience impressed the German that Lane was guying him, or he had discovered an important split in the German-American ranks, I cannot say; but he replied: "Very vell, I gif it up." The German did not get ahead of Lane in the politeness of their separation, and in response to Lane's hearty invitation, promised to "call again."

If the reader wants to laugh till tears run out of his eyes, get Hon. Walter N. Allen to tell the story of Lane's defense of the hog thieves at Oskaloosa. Mr. Allen was the prosecuting attorney, and had had four or five Free-State men arrested for stealing Pro-Slavery men's hogs on the Delaware Indian reserve. He had all his evidence ready, was sure there could be no defense, and expected a plea of guilty, and an appeal to the court for mercy. To his surprise, when the court met at 9 a. m., an affidavit was presented by the defendants, setting forth that they had been unable to procure an attorney, and asking for a postponement until 7 p. m. The court granted the time, of course; but Allen was amazed at such foolishness, as he meant to be merciful. He retired to his hotel for rest and recuperation. South of Oskaloosa, there was a long slope of prairie, a smooth, beautiful ridge, a grand view for seven or eight miles. Sitting on the porch of his hotel, near the middle of the afternoon, he observed an object far away, which he soon saw was moving, and slowly advancing towards him; again he saw the object was a man on foot, and as it neared him, he recognized Gen. Lane. Then it dawned upon him that he was attorney for the hog thieves; but what conceivable defense he could have, was beyond his imagination. Soon men were coming to the trial from all directions; and when the court met, the house was full. The accused had quietly whispered around among their friends that Lane would speak that night. Lane had examined the poll lists at Lawrence, and found these

men's names on the lists and copied them, and managed to have the Free-State men hear that the accused had something against their "persecutors," and if they denied it, they must take the consequences. Allen produced his witnesses, and the evidence was clear and indisputable. Lane had no questions to ask; and Allen considered argument unnecessary. Lane said the court was bound to take judicial notice of two facts: "One, that I hold in my hand a copy of the poll list, showing that these men voted at Lawrence, and now swear they lived in Missouri, and emigrated to Kansas afterward. Men that would thus stuff the ballot-boxes, overrun elections, and drive voters from the polls, ought to be thankful that they are not hung. Another point of which the court must take judicial notice, is, that this pretended offense was committed on an Indian reserve, which is no part of the Territory of Kansas, and over which the court has no jurisdiction." He then turned his face from the court, and denounced these men as ballot stuffers, murderers, who had no rights in Kansas, nor any place else outside of the penitentiary; and he so exasperated that audience, that the attorney retired in good order, but the court jumped out of the window, and the prosecutors fled in all directions; and then Lane turned to the arrested men and said: "Where, oh where are thine accusers?" Attorney, court, jurors, accusers, were all gone.

Allen, in telling the story, told me Lane came to the hotel and undertook to speak to him. He repulsed him;

told him to go away ; he would have nothing to do with a man who would incite a mob against him in a trial. But, after much persuasion and affectionate good nature on the part of Lane, Allen condescended to hear him. "Now, Walter," said Lane, "you know what kind of a case I had." "Yes, I know you had no case at all." But he listened further, as Lane proceeded: "Walter, you know, if I could have borrowed or hired a horse on credit for the trip, I would not have walked here and back, over forty miles. These men deposited a twenty-dollar gold piece in Ed. Thompson's bank at Lawrence, which I am to have when I get there. Walter, if you are as poor as I am, I hope you got your fee. I had not a dollar, and I have been refused credit for a loaf of bread in Lawrence, and my family have not even the necessaries of life. Let us be friends, Walter. My clients are cleared, and yours have cleared out for Platte county. I hope your friends will find a ferry, and not be drowned in the Missouri river."

And after this, Mr. Allen, in telling the story, said: "Speer, I declare to you, that before he left, I was the best friend he had in Oskaloosa."

On one occasion, the friends of Lane called a great round-up meeting at Lecompton, for two o'clock on the afternoon before election. Now, Lecompton was hardly legitimately our "stamping ground;" but we had just secured an important accession of strength there in the person of Hon. David T. Mitchell, who was a power in Lecompton, and we had determined to back the convert

up with an ovation. But the opposition were alive, too; and they had called a meeting for three o'clock of the same day, at the same hall, and promptly at two o'clock came Mr. Josiah Trask, the brilliant young editor, Col. James Blood, Hon. Paul R. Brooks and one or two others, to hear our talk, and squelch us with "the last word" before election. We held a caucus. It was a hey-day in Lecompton. "Old Jim was to speak." Lane remarked to the caucus: "These men have come here premeditatedly to take our audience. We cannot tolerate that. The rule of the justice's court that it is two o'clock till three, holds good in a political meeting. We will push our way through that crowd at five minutes to three, sharp; take twenty minutes to shake hands, and let the meeting settle; Speer will arise, and take thirty minutes on the prospects of Lecompton, and to introduce the venerable Father Weaver, the head of Lane University, as our President, who will speak till four fifteen o'clock on the business and educational interests of Lecompton, and I will speak till six o'clock, when I must leave for our meeting at Clinton, [twelve miles away;] Clarke will speak till half past seven; and then Speer will speak till between eight and nine, and introduce Hon. David T. Mitchell; and if Dave gets to sixteenthly before the polls open to-morrow morning, I am mistaken in his wind!" The program was pretty faithfully carried out; but in the dim distance of thirty-five years I could hardly swear that this list of his subjects was correct: Battle of Bunker Hill, Declaration, War

of the Revolution, Resolutions of '98, Whisky Rebellion, Alien and Sedition Laws, Jefferson and the Embargo, Sailors' Rights, Hartford Convention, Monroe Doctrine, War of 1812, Jackson on Nullification, Veto of United States Bank, Mexican War, Slavery, and was whaling away on "sixteenthly, Lincoln and the Rebellion," when the chickens began to crow, and the last words our opponents heard as they fled over the Lecompton hills, were "hurrah for Jim Lane and Dave Mitchell!"

There was another man of great power in the pioneer days, so intimately connected with Lane that we cannot leave him out, the anecdotes of whom would make a small volume, and whose influence was extensive and salutary. We mean Chester Thomas, of Topeka; and, if Topeka ever gets awakened to his merits, they ought to erect him a monument in the State capitol grounds for his great power in the location of the capital. He was warm hearted, generous, hospitable and a sincere friend.

When he was recommended for mail inspector, he went up to the postoffice department, and General Blair, the head of the department, was not busy, and invited him to be seated and make himself sociable. They sat talking, and Gen. Blair said: "Mr. Thomas, if you have any business to transact before entering upon your official duties, you need not hesitate about going home. Your appointment will follow you in a week or so. It is a mere matter of formality." He said to him: "No, I have nothing in particular. I can just as well wait as not, and take the appointment with me. You don't

know Lane and Pomeroy. If I should leave, and they should take a notion they didn't want me, I wouldn't get further than Baltimore, till they would both come up here, and file their affidavits that there never was any such man lived west of the Mississippi river. I will take it along."

Mr. Thomas had a reputation before he came to Kansas. Hon. David Wilmot, of Wilmot Proviso fame, told Gen. Lane, if he ever had a knotty question to settle, to send for Chester Thomas. "He is one of the ablest politicians I ever knew." He was a Democrat, as was Wilmot; but he went off to stay on the slavery question. He and Wilmot had much to do in getting John W. Forney interested in the anti-slavery cause. I once asked him about it, but he hesitated to tell me. Said he: "The fact is, we set up a job on them." The anti-slavery men had an honest, punctillious old Quaker on the committee who would not go in at Forney's back door. They wanted the caucus secret, and the Quaker wanted to be open and above board. Thomas was more practical, and did not hesitate. He said it didn't make so much difference where you went in, so that you came out right. They never knew what hurt them till the polls closed. It was the turning point in Pennsylvania politics.

His theory of political demagoguery was, that a man who started out to get office, lauding his own honesty, could seldom be trusted. Said he: "You cannot buy a politician. A politician has a reputation to take care of,

and will not sell out. If you want to buy a man, buy an honest man. An honest man will sell. When I was in the Council, [Territorial,] a man came to me and said: 'Thomas, I will give you one hundred dollars, if you will move a reconsideration of my bill that failed yesterday, and get it through.' I told him I would not touch his bill, if he would give me all he could make out of it. He started away. I said: 'Now don't go away disgusted. Let me give you a little advice. Never try to buy a politician. Buy an honest man. A politician won't sell; but an honest man will.' I said: 'There sits an honest man. Go to him and offer the proper persuasives, and get him to move a reconsideration, with a few pertinent remarks, to the effect that he was mistaken in the character of the bill, but has since investigated it, and found it a meritorious bill. There sits another honest man. Get him to second the motion, with a few similar remarks, and your bill will go right through; and my record will be all right.' It passed.

On one occasion, it was palpably plain to Mr. Thomas that there were several candidates likely to be nominated who were hardly proper men; but still he could not prevent their nomination. He said: "Gentlemen, what we want is a Christian on that ticket to save it, or we are scooped. I know a Christian plowing corn, out on the south side of the county, with the crown out of his hat and his toes out of his boots, who would make a good candidate and a good officer. 'A little leaven leaveneth the whole lump,' and it's an infernal hard 'lump' at

that." They got the "leaven," and the ticket went right through. That man has since become distinguished, honored and respected as a statesman.

When he was in the Council of 13, (Territorial,) he organized for business with six men with him for all his bills—that is, he and six others agreed on what they wanted, and solidly supported each other. His name being at the foot of the list, and therefore the last vote, he would sit in his seat sometimes until his name had been called thrice, and then apparently rouse up, remarking, "A meritorious bill. I vote aye." And then frequently he remarked, "Seven is more than six." From a political standpoint, his measures rarely lacked wisdom.

CHAPTER VIII.

GEN. LANE'S CAMPAIGN FOR FREMONT.

Where shall we commence, and where shall we make the dividing line, in that wonderful dual campaign of politics and war—the Presidential campaign in the States, and the defense in Kansas Territory, covering different fields, separated more than fifteen hundred miles, four hundred miles of it traversed only by horse-power, the Missouri river blockaded by armed enemies? Besides bringing three colonies into Kansas, Lane was heard from the stump in nearly all the great cities of the North from New England to Iowa, then the furthest Western State east of the Rocky mountains. His fame as a soldier from the fields of Buena Vista and the City of Mexico to his triumphs in defense of the defenseless people of Kansas, and his wonderful powers of oratory, attracted the masses to him as they were attracted to no other man in the nation. When the cry of renewed distress came he was in the East in the interest of Free Kansas. With the celerity of thought, he was in the field originating measures to avert the destruction of the lives and property of the pioneer freemen; and in an in-

credibly short period, he was leading a force five hundred miles overland, through Iowa and Nebraska, more than two hundred miles of it wilderness, west of all bases of supplies ; and, although forty years have transpired, the settlers point out " Lane's Road " as an object of historic interest.

Perhaps no better idea of the opening of the campaign of 1856 can be given than in extracts of proceedings and his speech, when he appeared in Chicago, May 31, 1856 :
From Andreas' History, page 136.

The President then introduced Col. James H. Lane, of Kansas. As he rose up and came forward, he was greeted with an outburst of applause from the crowd that continued for some minutes, during which time he stood statue-like, with mouth firm set, gazing with those wondrous eyes down into the very heart of the excited throng. Before the applause had subsided sufficiently for his voice to be heard, the fascinating spell of his presence had already seized upon the whole vast audience, and for the next hour he controlled its every emotion—moving to tears, to anger, to laughter, to scorn, to the wildest enthusiasm, at his will. No man of his time possessed such magnetic power over a vast miscellaneous assembly of men as he. With two possible exceptions, (Patrick Henry and S. S. Prentiss,) no American orator ever equalled him in effective stump-speaking, or in the irresistible power by which he held his audiences in absolute control. On that night, he was at his best. It was doubtless the ablest and most effective oratorical effort of his life. No full report of it was given at the time.

Col. S. S. Prouty, one of his audience and one of the next party he led to Kansas, thus wrote of the speech twenty-five years afterward :

He was fresh from the scene of dispute in the belligerent territory. He made a characteristic speech, teeming with invective extravagance, impetuosity, denunciation and eloquence. The grass on the

prairie is swayed no more easily by the winds than was this vast assemblage by the utterances of this speaker. They saw the contending factions in the Territory through his glasses. The Pro-Slavery party appeared like demons and assassins; the Free-State party like heroes and martyrs. He infused them with his warlike spirit and enthusiastic ardor for the practical champions of freedom. Their response to his appeals for succor for the struggling freemen was immediate and decisive.

A few extracts which have been preserved will show the spirit of his address :

I have been sent by the people of Kansas to plead their cause before the people of the North. Most persons have a very erroneous idea of the people of Kansas. They think they are mostly from Massachusetts. They are really more than nine-tenths from the Northwestern States. There are more men from Ohio, Illinois and Indiana than from all New England and New York combined.

We must remember, in reading this, that all the Northwestern States, except Iowa, then lay east of the Mississippi river. Of the President he said :

Of Franklin Pierce I have a right to talk as I please, having made more than one hundred speeches advocating his election, and having also, as one of the Electors of Indiana, cast the electoral vote of that State for him. Frank was, in part, the creature of my own hands; and a pretty job they made of it. The one pre-eminent wish of mine now is, that he may be hurled from the white house; and that the nine memorials sent him from the outraged citizens of Kansas, detailing their wrongs, may be dragged from his iron box.

He alluded to Col. W. H. Bissell, then the Republican candidate for Governor of Illinois, as follows :

It is true I was side by side with your gallant and noble Bissell at Buena Vista and in Congress. I wish I could describe to you the scene on the morning preceding that glorious battle. On a ridge stood Clay, Bissell, McKee, Hardin and myself. Before us were twenty thousand armed enemies. It was a beautiful morning, and the sun

shone bright upon the polished lances and muskets of the enemy, and their banners waved proudly in the breeze. In our rear, the lofty mountains reared skyward, and their bases swarmed with enemies ready to rob the dead and murder the wounded when the battle was over. Around us stood five ragged regiments of volunteers, two from Illinois, two from Indiana and one from Kentucky; they were bone of your bone, blood of your blood; and it was only when you were near enough to look into their eyes that you could see the devil was in them. It did not then occur to me that I should be indicted for treason because I loved liberty better than slavery.

After paying a glowing tribute to Bissell, and giving a vivid description of Kansas outrages, he proceeded:

The Missourians poured over the border in thousands, with bowie-knives in their boots, their belts bristling with revolvers, their guns upon their shoulders, and three gallons per vote in their wagons. When asked where they came from, their reply was, "From Missouri;" when asked, "What are you here for?" their reply was, "Come to vote." If any one should go there and attempt to deny these things, or apologise for them, the Missourians would spit upon him. They claim to own Kansas, to have a right to vote there, and to make its laws, and to say what its institutions shall be.

Col. Lane held up the volume of the statutes of Kansas, and reading and commenting as he read, said:

The Legislature first passed acts virtually repealing the larger portion of the Constitution of the United States, and then repealed, as coolly as one would take a chew of tobacco, provisions of the Kansas-Nebraska bill. Of this bill I have a right to speak—God forgive me for so enormous and dreadful a political sin!—I voted for the bill. I thought the people were to have the right to form their own institutions, and went to Kansas to organize the Democratic party there, and make the state Democratic; but the Missouri invaders poured in—the ballot-boxes were desecrated—the bogus legislature was elected by armed mobs—you know the rest.

The pro-slavery fragment of the Democratic party also delights in the term "nigger worshipper," to designate Free-State men. I will

show you that these Pro-Slavery men are all "nigger worshippers" the most abject. According to the Kansas code, [Col. Lane read from the book, giving page and section,] if a person kidnapped a white child the utmost penalty is six months in jail—if a "nigger" baby, the penalty is death! Who worship "niggers," and slave "nigger" babies, at that? To kidnap a white child into slavery, six months in jail!—to kidnap a "nigger" into freedom, death!

He concluded his scathing review of the code as follows :

Is there an Illinoisan who says enforce these monstrous iniquities called laws? Show me the men. The people of Kansas never will obey them. They are being butchered; and one and all will die first! As for myself, I am going back to Kansas, where there is an indictment pending against me for high treason. Were the rope about my neck, I would say that, as to the Kansas code, it shall not be enforced. Never! never!

Following, he argued elaborately and conclusively, the right of Kansas to come into the Union as a free state "now!" He closed his speech with a detailed account of the murders and outrages perpetrated upon the Free-State settlers, given with a masterly power of tragic delineation, which brought each particular horror, blood red and distinct, before the eyes of the excited throng :

He knew of fourteen cases of tarring and feathering—the most awful and humiliating outrage ever inflicted on man! He told of Dow shot dead while holding up his hands as a sign of his defenselessness—lying, like a dead dog, in the road all the long day, until in the evening, his friends found his body, dabbled in his life's blood, and bore it away; Barber, unarmed, shot in the highway, brought dead to Lawrence, where his frantic wife, a childless widow, mid shrieks of anguish, kissed the pallid lips that to her were silent evermore! Brown, stabbed, pounded, hacked with the hatchet, bleeding and dying, kicked into the presence of his wife, where, in agony, he breathed out his life—she now a maniac!

A voice from the crowd called, "Who was Brown?"

Brown was as gallant a spirit as ever went to his God! And a Democrat at that—not one of the Pro-Slavery fragment, though. For the blood of free men shed on the soil of Kansas—for the blood now flowing in the streets of Lawrence—for every drop that has been shed since the people asked to be admitted as a state—the administration is responsible. Before God and this people, I arraign Frank Pierce as a murderer!

In conclusion, I have only this to say: The people of Kansas have undying faith in the justice of their cause—in the eternal life of the truths maintained—and they ask the people of Illinois to do for them that which seems to them just.

The Chicago Tribune, in its report of the meeting, June 2, 1856, says:

We regret we can only give a meagre outline of the eloquent and telling effort of Col. Lane. He was listened to with the deepest interest and attention by the vast throng; and as he detailed the series of infamous outrages inflicted upon the free men of Kansas, the people were breathless with mortification and anger, or wild with enthusiasm to avenge those wrongs. During Col. Lane's address, he was often interrupted by the wildest applause, or by deep groans for Pierce, Douglas, Atchison, and the doughfaces and ruffians who had oppressed Kansas, and by cheers for Sumner, Robinson and other noble men who have dared and suffered for liberty.

Language is inadequate to give the reader a conception of the effect of the recital of that tale of woe which men from Kansas had to tell; the rigid muscles and the frowning brows told a story to the looker-on that types cannot repeat. From the fact that the immense crowd kept their feet from eight to twelve o'clock, and that even then they were unwilling the speakers should cease, or that the contributions should stop; from the fact that working men, who have only the wages of the day for the purchase of the day's bread, emptied the contents of their pockets into the general fund; that sailors threw in their earnings; that widows sent up their savings; that boys contrib-

uted their pence; that those who had no money, gave what they had to spare; that those who had nothing to give, offered to go as settlers, and do their duty to freedom on that now consecrated soil; that every bold declaration for liberty, every allusion to the Revolution of '76, and to the possibility that the battles of that period were to be fought over again in Kansas, were received as those things most to be desired—something of the tone and temper of the meeting may be imagined. . . . Take it with its attending circumstances—the shortness of the notice, the character of the assembled multitude, and the work which was accomplished—it was the most remarkable meeting ever held in the state. We believe it will inaugurate a new era in Illinois. We believe it is the precursor of the liberation of Kansas from the hand of the oppressor, and of an all-pervading political revolution at home.

About half past twelve, Sunday having come, the meeting unwillingly adjourned, and the crowd reluctantly went home. At a later hour, the Star-Spangled Banner and the Marseillaise, sung by bands of men, whose hearts were full of the spirit of these magnificent hymns, were the only evidences of the event that we have endeavored to describe.

This demonstration of Lane, the concoction of his own brain, was but twelve days from the hour when Atchison, Acting Vice President of the United States, sighted a cannon at the Free State Hotel at Lawrence, and razed it to its foundation with ball and fire, and burned and pillaged much other property; and, in exhorting his cohorts, lest some defenseless woman should attempt to protect her home, advised them to “blow her to hell with a chunk of cold lead!” Kansas onward for a time became almost literally a sheet of flame, and homes were demolished and sacked and burned.

It is unnecessary to go into details of his campaign for Fremont for the Presidency in 1853. He made hurried

tours all over the free states, speaking in the larger cities with the same power and effect which he manifested at Chicago. I was in Northern Ohio when he spoke at Cleveland, and representative men of all parties, far and near, rushed to hear him in his story of Kansas wrongs, when, but for the difference in the time and the occasion, his effort there could hardly have been secondary to that at Chicago. Hon. Mark W. Delahay, United States District Judge for the State of Kansas, told me an amusing story of their appearance together in New York, hungry, in a restaurant, Lane penniless, and Delahay with only seventy-five cents, begging his co-partner to moderate his appetite for another meal; but they left that table without the means for a plate of soup. "How on earth," said I, "did you get out of that great city?" "Oh," said Delahay, laughing, "Lane hunted up a committee, replenished our treasury, and the committee got out bills and rented a hall with such good results that they sent us on our way rejoicing, for an assault on Democratic Connecticut!

CHAPTER IX.

LANE'S MILITARY DEFENSE OF KANSAS IN 1856

The confident declaration of Hon. Joseph Medill, in his spirited description of the meeting and his laudation of the speaker, "We believe it is the precursor of the liberation of Kansas from the hand of the oppressor," has long since passed the limit of prophecy, and become historic. It was the beginning of the end. And that other prediction of "an all-pervading political revolution at home!" how significantly it has reverberated in every home of the Union! Chicago was the centre of thought and of energy and of help in that great conflict; and the Chicago Tribune was the mouth-piece which gave utterance to the thoughts of the Great West in a conflict, the like of which the world had never seen. An incident occurred in the Tribune office shortly after this event which illustrates the spirit of the times. I was sitting at the editorial table of Gov. Bross, sadly talking over some bad news from Kansas, when a solemn-looking individual, with a white neck-choker, sedately advanced to the Governor, and mildly inquired: "Is this Deacon Bross?" He modestly responded: "They sometimes call

me deacon.” “I am,” said the mild-mannered man, “a representative of the American Society for the Promotion of Peace; and I called to see if you could help us.” “No! by the Eternal God! my voice is for war!” exclaimed Bross, bringing his solid fist down on the table till it bounded as if the ghost of Beelzebub had appeared at a spiritualistic seance. And the “peace promotor” made two strides for the door, and was seen no more. The war spirit was up, and Kansas was to be defended.

There has been given in Chapter VI an account of the causes which led to the troubles of 1856, to wit: the return of S. N. Wood, who had been connected with the rescue of Branson, which brought on the Wakarusa war of the previous fall. Branson had committed no crime, and was noted as a peaceable, inoffensive man, taking but little part in public affairs; but Wood was a bold, aggressive, fearless Free-State man; and an excuse was wanted for driving all such men from the Territory.

Gen. Lane had been in Washington during the winter, and was there when the outbreak occurred. If he was in Kansas before the 22d of July, as I have no doubt he was, he was there incognito, on account of indictments. At that date, he boldly crossed the Missouri river, at Nebraska City, with three hundred men. A convention was held at Buffalo on the 9th and 10th of the same month to aid Kansas, and at that convention, that great philanthropist, Hon. Gerrit Smith, subscribed one thousand dollars per month. A messenger from Lane’s camp

in Iowa arrived, and made an eloquent report to the convention. A National Kansas Committee was appointed, of which Abraham Lincoln was a member, and on my motion, Col. Shaler W. Eldridge was made the Kansas member, and during that summer, he led a company of emigrants to Kansas over "Lane's road." About that time, Hon. John Sherman introduced an amendment to the army appropriation bill, prohibiting the enforcement of the Bogus laws, which passed the United States House of Representatives by a vote of 88 to 40; thus virtually sustaining Lane and his "army" by more than two-thirds of the American Congress, fresh from the people.

Quite early in the summer of 1856, when, if Lane was in Kansas, he was known as "Captain Cook," a cognomen adopted to avoid arrest, C. W. Topliff and O. E. Learnard had a command, we think under the respective titles of Colonel and Lieutenant-Colonel, though it would be misleading to call it a regiment. This organization was camped on an island of Coal creek, two or three miles south of the Wakarusa—I think on the land of Hon. Amasa Soule, long since deceased. Small in numbers, perhaps not to exceed three hundred men, they were, nevertheless, of great significance in keeping up a military organization, a standing menace to the invaders, and a perpetual notice of readiness for resistance to the whole State of Missouri. Lane arrived in Kansas early in August, and established a cordon of forts on Lane's road from the Nebraska line to Topeka, bringing in about six hundred men. He was an uncertain quantity

in the conflicts then, generally known only to those who could be trusted to know him as "Captain Cook on the white horse"—a horse of mine which he "borrowed" when I was a thousand miles away—and much of my information was acquired from Captain Charles F. Gorrett, who was his confidant and adviser, in nearly all the skirmishes and engagements of that summer.

In August of that year, a pretty large body of Pro-Slavery men, Missourians, South Carolinians and Georgians, advanced through what is now Johnson to near the Douglas county line, but was then an Indian reservation, unsettled by whites and but sparsely settled by Indians, penetrated the white settlements at Bull creek, not far from what is now Lanesfield postoffice. Lane called promptly to arms, made a forced march, and a brilliant demonstration, with a very inferior force, the dash and impudence of the gallant Free-State boys rushing them out of Kansas, with such celerity as to make the enemy the laughing stock of the country. Col. O. E. Learnard, in command of cavalry, took an active part in this sortie; and he says that Lane was conspicuously in command, with a staff of thirty men, actively and energetically ordering the charge.

The trials of Leavenworth (county and city) Free-State men are indescribable, and seem incredible: Hoppe was shot and scalped by Fugit, on a bet that he would bring in a Yankee scalp in an hour, and he soon brought the gruesome object, elevated on a pole; a lone grave near Moore's Summit long showed the resting place of one of

Emory's innocent victims : scores pushed on boats ahead of Pro-slavery bayonets testified against tyranny in their Eastern homes, or came back by the way of Iowa, to fight freedom's battle out on freedom's soil ; Phillips, who had been tarred and feathered and sold for a sixpence to a negro, was murdered, in his own house, in the presence of his family, the blood spurting on a young lady, an Eastern guest, who still lives in Lawrence, (Mrs. Nancy A. G. Libey,) who rarely can be persuaded to tell the horrible story ! Details are sickening ! In this crisis, Lane proposed to Col. Larnard to join with John Brown in a night demonstration from Stranger creek, near where Hon. John Wright lived, all around that country, where it was reported the enemy had two thousand men. He declined co-operation with Brown, but took a force of a hundred and forty horsemen, and in the darkness, made a night raid, meeting no opposition. It had the effect, however, of giving confidence to the Free-State settlers, and notification to the enemy that they were ready for action. It was reported that messengers were sent to Weston, Missouri, representing that Lane was scouring the country with more than a thousand men ; and that the Weston bells were rung for fire, the people aroused, and measures taken for action.

It is unnecessary to go into details of his capture of Franklin, Fort Titus, or his descent upon Lecompton, with his forces in line, and the cannon, known as the Old Sacramento, frowning over the entrenchments, the capture of the town only prevented by the interven-

tion of the United States troops under Col. Philip St. George Cooke. Each of these places were fortifications of considerable strength against merely small arms. At Fort Saunders was a solid log house, besides breastworks of considerable strength, with a superior force to Lane's, but he made an exhibition of force, by marching around elevated objects, which alarmed the enemy, and they fled the country in all directions. This was the place where they had so brutally murdered David S. Hoyt, a Massachusetts man, hacking his face to prevent identification, and burying his body so lightly that it was a prey for wild beasts. Col. Learnard told me that when a body of Free-State men went in search of the murdered man, they could smell his remains in the woods, for a long distance before they found them. Hoyt went unarmed, on a mission of peace, stopped on his way at my house, said that a leading man among them was a Mason, and he believed he could have some influence with him in the promotion of peace. He had been a bombardier in the Mexican war, a soldier relying upon the honor of a soldier; but, during the previous winter, he had started from Boston with a lot of Sharp's rifles, which were captured on the Missouri river, though he got away with the lock apparatus, rendering them useless.

The defense of Franklin was a large heavy frame house, impregnable by any force he could collect; but for a long time, the house stood at Franklin, riddled with bullets, **many** of them imbedded in the siding, as an evidence of the assault. It was a night attack, and he found a load

of hay on a wagon ; and keeping up a fusillade of bullets from a diagonal stand-point, he placed a body of men at the wagon's tongue, and set the hind end on fire, illuminating the prairies, as they rushed it upon the building. The enemy fled in terror, while the Free-State men saved the building from destruction by fire. The house was removed to Lawrence, and for some time was the best hotel in that city, known as the Sherman House, and still stands on New Hampshire street. From its balcony Gen. Sherman made a famous speech shortly after his great campaign from Atlanta to the sea.

Fort Titus was a log fortification, on a hillside, two miles from Lecompton, with log and stone breastworks around it, and was the headquarters of Col. Titus, a Georgian, afterwards with Walker, the Cuban fillibuster. Border-Ruffian Maclean, afterwards on Gen. Price's staff, in the Price Raid into Kansas in 1864, was one of Titus' officers. Capt. Samuel Walker had the principal charge of this assault, while Capt. Thomas Bickerton had charge of the cannon. Twenty prisoners were captured and the house burned. Captain Walker resisted a determined effort to hang Titus. Captain Henry J. Shombre, one of Lane's company from the East, and a very promising young man, was wounded, and died two days afterward.

On the fifth day of September, Gen. Lane determined to make an assault on Lecompton. The outrages were intolerable ; and it was determined that the imprisoned, persecuted Free-State men held under Bogus authority

should be released—not those held for treason under United States soldiers—for, with Lane and all his followers, under no circumstances did they disregard the flag of the country or its officers. The line of march ordered by Lane was directly on or near the old “middle road” till they should arrive within a mile of the George W. Clarke place, (he of Barber murder notoriety;) thence westwardly the cavalry and the infantry were to divide, the former taking the prairie or middle road, and the latter through the woods, near a blind road up the river. Col. Samuel Walker was the superior officer, but was in command of the infantry by the river road, Lane accompanying him, and Mr. J. H. Shimmons acting as guide; while Lieutenant-Colonel Learnard had entire command of the cavalry, six companies; and Captain James A. Harvey led a considerable force on the north side of the Kansas river. Shimmons resided among the Pro-Slavery men in the woods near Lecompton, and no man was better posted on their trails, nor more useful, than he. These two commands advanced towards the scene of action, Walker’s halting on the heights in front of the capitol, and Learnard’s on the first hill south of Lecompton, and directly between the camp of the United States troops and that town.

Another true anti-slavery man, a near neighbor of Clarke, whom Clarke had threatened and attempted to kill, was Alphonso Jones, who was prompt and useful in giving information, and acting as guide.

The Pro-Slavery forces were in Lecompton, and had fortified the basement of the Territorial capitol; but there was a hurrying to and fro to get messages to the United States troops, for help against the “abolitionists.” Soon the government cavalry came upon a dash, with little regularity of march, and were halted, and Major Sibley demanded of Learnard what was wanted. Learnard very mildly informed him that there were some prisoners in Lecompton, for whose release they had waited long enough, and they had come to take them. Just then Col. Sam. Walker rode up from the other command, and sat upon his horse listening. Sibley stated to Learnard that the prisoners would be released, and added: “Now, you have my word as an officer, and I know you have confidence that the promise will be fulfilled. Now just retire with your command, and let us have peace.” “No,” said Learnard, “I cannot do that.” “Why not?” demanded Sibley. “I am not in command. Sibley said he had spent his life in the army, and been through the Mexican war, but he never saw any such warfare as this. “Who is in command?” “Gen. Lane.” “Where is he? and how can I see him?” “He is among the trees, with another command, on the other hill, getting ready to fire on Lecompton. Col. Walker will conduct you.” Off went Sibley and officers.

At this juncture, Lieutenant-Colonel Cooke, in command, appears upon the scene, apparently just from the Governor and other civil officers, and, simultaneously, a

United States marshal, with writs for Lane, taking advantage of the presence of the military officers, to demand their assistance to arrest him. Charles H. Hoyt, a lad of twelve years, stood in the ranks, boy-like, ready to "kill them all." Instantly appreciating the situation, Lane said: "Boy, take my horse!" and Lane was in the ranks, an old slouch-hat drooping over his face, in grim defiance of all. The marshal demanded protection, while he should pass along the lines to search him out, which Cooke sternly refused, reprimanding him by saying, "Marshal, you are a very indiscreet man. Get back to Lecompton." A dozen guns were leveled upon him, with exclamations, "Shoot him! shoot him!" and one of Lane's men stepped up and took his revolver without the least show of resistance. The marshal very excitedly protested that he could not get back; that there was an abolitionist behind every tree. Lane declined to see Cooke, and probably Cooke did not want to see Lane. Through the interposition of Col. Walker and John H. Shimmons with Lane, the frightened Marshal Cramer was given safe conduct past "abolitionists behind every tree," showing such mercy to a man who was attempting to take Lane to a tortured murder like that to which Reese P. Brown had been led at Easton. Thus the negotiations went on; the prisoners were released; and "Captain Cook" left the ranks, mounted his horse, and rode home triumphantly as Gen. Lane, at the head of his command.

It will make the situation much clearer to give as

much of Colonel Cooke's official report to his superior officer as is necessary to show his view of the condition, the guns shotted on the "rocky hill," Captain Bickerton swearing because the fuse was not applied, Colonel Learnard ready for the cavalry charge, and Captain Harvey among the trees, to cut them off from fording the Kansas river, on their retreat to Missouri, from whence they had come :

HEADQUARTERS,
CAMP NEAR LECOMPTON, September 5, 1856. }

MAJOR: At 3:30 some citizens entered camp in haste, reporting a large force approaching Lecompton from below. I sounded "boots and saddles." In a few minutes I received a note from the Governor, reporting the same, and asking my protection for the town, etc. I immediately ordered the Sergeant of the guard to be sent, with the relief of the guard kept saddled, to endeavor to interpose between the town and threatening force, (which was well executed by Corporal Batty, Company C, First Cavalry.) At the same time I sent off Captain Anderson with the dismounted dragoons. Some minutes after, I marched in person at the head of a squadron of Second Dragoons, ordering the First Cavalry and Artillery to follow as their preparations were completed.

About a mile from town I joined the dismounted command, and, rising the hill prairie above the town, came upon the flank of about 60 mounted men in line, who remained motionless. Ordering the dragoons to halt nearly in open column, I rode in front of the Lawrence men, and accosted Captain Walker, who was in command, asking what he came after. He answered, that they came to release prisoners, and have their rights. He said they had sent into town to treat with the Governor. I asked him if that was all their men. He said, oh no, there were 700 more close by. I told him it was a very unfortunate move on their part; that the prisoners had been ordered to be released; and, among other things, said if they attacked the town, I should attack them. He asked me if I would go with him to the main body. I consented, and sent an order to Colonel Johnston,

then arriving on the hill, to remain there in command of the troops until I returned; and taking Lieutenant Riddick, acting Assistant Quartermaster, an orderly and bugler, rode with him towards the woods, near the town.

Discarding all personal feeling, I had then in mind the instructions of August 28, viz: "If it should come to your knowledge that either side is moving upon the other with a view to attack, it will become your duty to observe their movements, and to prevent such hostile collision," and "to make every exertion in your power with the force under your orders, to preserve the peace and prevent bloodshed."

I arrived, with Mr. Walker, in rear of the main force, on an abrupt eminence commanding the town, over a wooded and rocky ravine, within long gunshot. They had two pieces of artillery in position, and their visible numbers might not have been above three hundred men.

I asked Mr. Walker to collect the officers in front of the line, and some twenty or thirty approached me mounted. At the moment there was an altercation with a Mr. Cramer, Treasurer of the Territory, whom they had just made prisoner, who appealed to me, stating he was a United States officer, and that he had been sent to me. I addressed these principal men. I said: "You have made a most unfortunate move for yourselves; the Missourians, you know, have gone, and the militia here are nearly gone, having commenced crossing the river yesterday morning, to my knowledge. As to the prisoners, whilst I will make no terms with you, I can inform you, that they were promised to be released yesterday morning; and the Governor this morning told me he would order the release of all of them, and was to send me word at what hour I should send a guard to escort them to my camp, that, therefore, I could assure their prompt return to their homes; that everything was going in their favor, and that it apparently would be so, if they would refrain entirely from reprisals or any outrages, return to their occupations, and show moderation." I required the release of the prisoner, Mr. Cramer, and their return to Lawrence.

I was asked if I could promise that affairs would be set right at Leavenworth, and they have power to go and come. Mentioning

several cases of murders or killing, even this morning, I answered, "I could only answer for this vicinity; that things could not be settled in a moment; that Gen. Smith was close to Leavenworth, and that his powers and views, I believed, were the same as mine." I was then asked the ever-recurring question, if I should attack them, if they attempted there to redress themselves or defend themselves? I replied, "I give no pledges; that my mission was to preserve the peace."

Great regret was expressed by them that they had not been informed before of these events; said they had waited long; that their messengers were killed or made prisoners. and mentioned that a regiment was then over the river, and apprehended that it would lead to bad results, and I was asked to send to them to go back to Lawrence. I suggested that a written order should be sent, and one was afterwards handed me; they then released three prisoners, and marched off to return, whilst I rode over to the town with the released prisoners. I found one or two hundred militia, whom I had previously seen opposite, among the walls of the new capitol, under General Marshall.

I found the Governor, and informed him of my action and its results. He said the prisoners HAD been released, but, in fact, the order had not YET been executed. Mention was made of prisoners that had been taken by a Lawrence force over the river; I asked the Governor to send over the order for that force to retire. He found difficulties; when Mr. Riddick* volunteered to go, and was instructed also to obtain the release of any prisoners. Lane had evidently been in real or nominal command, but had not presented himself to me. Mr. Sheriff Jones and others now clamored for his arrest; he was then gone with his force about him. The Governor spoke of writing a requisition. I told them, on an impulse, that I should make no arrests this night; but soon after took the Governor aside and told him

*The removal of ~~the~~ "difficulties" is happily accounted for when we know that "Mr. Riddick's" other title was "Lieutenant Riddick, acting Assistant Quartermaster United States Army," and that General Lane had given the order "handed to" Colonel Cooke, in plain sight of both officers. Equipped with the American flag and an order from Jim Lane, "Mr. Riddick" was as safe any place in Lane's command as if he had been in a kindergarten.

I recalled that decision, and said, "If you want him arrested, write your requisition; but I think, on reflection, you will hardly make it." He replied he would not, if I advised against it; and the matter dropped. I then galloped over to my troops, and sent a platoon to request the Governor to send to my camp the released prisoners; and they have been sent here.

With great respect, your obedient servant,

P. ST. G. COOKE,

Lieut. Col. Second Dragoons, Commanding.

Major GEORGE DEAS,

A. A. Gen. Dept. of the West, Fort Leavenworth, K. T.

This official report gives facts justifying every act of the Free-State men. It admits that the prisoners had not been released, although the order had been made. It was to avenge oft-repeated violations of faith like this that made force necessary. It admits that Leecompton had been held by Missouri invaders, and that even after prisoners had been ordered released, their lives were only safe from murder and assassination under government troops, between their prison and their families. Colonel Cooke says, very truly, that "Lane had evidently been in real or nominal command, but had not presented himself" to him. It was nevertheless a fact, that General Lane had stood upon his dignity, taking the high ground of superior military authority, and refused to negotiate except through Colonel Walker, his chief of staff, and that Walker went to and fro between them in full sight, not a hundred feet distant. It was about then that Senator Benton said, "President Pierce is as completely in the hands of Jefferson Davis as the

suckling is in the hands of its nurse ;'' and this report was made to satisfy the war department under Secretary Davis. The great object was accomplished, the release of the prisoners, and Cooke sent them home "under a platoon of United States dragoons."

His last engagement of 1856, was just as Gov. Geary was entering Kansas, fully empowered by the government to disperse all armed bodies of both sides. On the 12th of September, he made an assault on Hickory Point, in which Tom McElroy, Free-State, and Jack Henderson,* Pro-Slavery, were wounded. The place was a collection of half a dozen heavy, well-built log houses, twenty-five to thirty miles northwest of Lawrence. He found it impracticable to capture the place without heavy loss of men. He retired, went into camp for the night, and sent two messengers, one to Topeka, to notify Captain Dan. Horne to hold himself in readiness for Captain Harvey, of Lawrence, and one to Harvey, to come at once, by way of Topeka, with a cannon, to capture the place. After these messengers were dispatched, Lane got the proclamation of Governor Geary, that he was in command of United States forces to keep the peace, and ordering all armed bodies to disperse. As he had absolutely, but unwittingly, violated the procla-

*Captain Charles F. Garrett was one of Lane's men at Hickory Point. Jack Henderson became a Union man, and the two met in different commands at Nashville, Tennessee; and Jack, approaching Captain Garrett, said: "You don't know me, Captain?" "Don't know you!" said Garrett; "don't know you! Didn't I carry water in my hat, to pour on your back, after we shot you at Hickory Point?"

mation of Governor Geary, and was liable to arrest by the troops, he at once dispatched other messengers to warn both Horne and Harvey, and retreated to Nebraska, alleging that he was going north to "open up the road," where the Pro-Slavery forces of Gen. Richardson were holding the country, intercepting emigration by the way of Iowa. Harvey, disregarding Lane's orders to "come by the way of Topeka," took a nearer route, and thereby failing to meet the messenger or find Lane, opened fire upon Hickory Point, captured and dispersed the enemy, killing five men, and then encamped for the night. The United States forces soon came and captured the whole Harvey command, one hundred and one men; and they were held as prisoners, on charge of murder, at Lecompton.

Shortly thereafter Gen. Reid, Pro-Slavery, invested Lawrence with thirteen hundred men. A skirmish occurred on the outskirts of the town in which Captains Walker and Cracklin participated. John Brown was with this defense, but disavowed any authority to command, though he gave them some wholesome advice about Sharp's rifles shooting too high. In this dilemma Col. Learnard, with a company of cavalry, did efficient service in reconnoitring, skirmishing, and giving information of danger. Night approaching, Reid retired. As resistance was hopeless, dispatches were sent to Gov. Geary at Lecompton by three different messengers, by as many different routes. Gov. H. A. W. Tabor, since of Colorado, was one of the messengers, and a few years

ago, described to me very graphically the dangers of the situation. Geary must have moved with great celerity; for by the next morning, the whole prairie around Lawrence was covered with United States troops.

The absence of Lane at the time of this occurrence is already explained. While Lane was at Nebraska City, a caustic article was published in Hon. J. Sterling Morton's paper on Lane and his men; and the first I knew, he was in a terrible state of excitement, exclaiming, "A horse! a horse! anybody's horse!" He mounted and went with the swiftness of the wind. The explanation was, that some of his men had determined to mob the paper. Whether this was true or not, a great deal of excitement prevailed; and he called "a conciliatory meeting to explain to the people of Nebraska." Nebraska was neutral ground, and strict neutrality was observed by Kansas men. Therefore, Nebraska City was full of refugee Pro-Slavery men, and quite a number of slaves were held there, some of them by Mr. Nuckols, afterward Delegate to Congress and a Union man. The meeting opened for "conciliation" in a very boisterous manner. He seemed "as mild a mannered man as ever scuttled ship or cut a throat." To me his introduction was irony worse than Elijah's mockery of the false prophets bringing fire from heaven; but the ruffians seemed to like it. It was somewhat in this formula: "Mr. President, and you, fellow-citizens: I am pleased with this intelligent audience; and I particularly congratulate myself that so large a portion of the neighboring

State of Missouri are here to honor me with their presence. [They brought their knives and revolvers along to aid in the "honors," but our men (100) had nearly all looked down the muzzles of guns, and few of theirs had.] Like you, I am a Democrat. I made a Democratic speech when I was but thirteen years old, which the fathers of Democracy declared to be orthodox. I never scratched a Democratic ticket in my life, and probably never should, had I not come to Kansas, where they organized the parties ignoring Democracy, and leaving no Democratic ticket to be scratched. I even voted in Congress for the Kansas-Nebraska bill, leaving it to the people 'to decide upon their domestic institutions in their own way.' That is all I want now. Keep your institutions in Missouri as you like them. Did you ever hear of Jim Lane interfering? Never! Let us reason together. I was a soldier in the Mexican war, fighting in the same cause with your brave Doniphan, leading one regiment and then another to overtake the army before we reached the City of Mexico. [He had them there.] Oh! that that hero were here to-night! The boys would take him on their shoulders, and carry him to our camp-fire, where we would feast together in harmony and ~~ire~~re." "The boys" shouted; and even the Missourians applauded." What were "the boys" there for? But nobody mentioned that they had the cannon which Colonel Doniphan had captured at Sacramento!

"Now I come to slavery. Hear me, and condemn, if you feel like it. I was awakened to investigation of the

institution on the coast of Mississippi, where I was disposing of goods in a store-boat. I had with me a young man, a carpenter and joiner, a skillful workman, as intelligent a man as there is in this audience, a gentleman—like the mass of you, gentlemen, earning his living by honest labor. On the bank stood a lordly mansion, the home of a sugar planter, who was adding house to house on his great estate. I went with this young man, to the proprietor, who sat on his porch. I complimented his institution, and, to ingratiate myself with him, introduced myself as Colonel Lane, who had been charmed with the Mississippi valley in going to and from the scenes of the Mexican war; and then I told him I had here a young man, of eminent skill as a carpenter and joiner, an architect capable of planning as well as executing, whom I recommended for his honor and integrity, and I hoped he could give him employment which would be mutually advantageous to both. He laid himself back, with his thumbs in the armholes of his vest, and with sneering scorn, replied: ‘I bought two carpenters yesterday!’ Great God! If such men are buying carpenters, machinists, engineers, how soon will they sell you and me in their marts of human merchandise!’ He had that audience as completely as Napoleon had his soldiers when he rushed ahead of them at the Bridge of Lodi; and one universal burst of applause attested his triumph as an orator.

While at Nebraska City, our command marched to Tabor, in Iowa, an intensely anti-slavery and religious

town, settled principally by people from Oberlin, Ohio. As we sat eyes upon its white buildings glittering in the sunlight, the command went out: "Halt! We are now approaching the town of Tabor. Its people are a moral and religious people. That is all that is necessary to say to the honorable men of the Kansas Volunteers, to command their respect, and to assure the good people that we come in honesty and sincerity as the advance guard of the crusade of freedom. There will be no immoral conduct—no harsh talk while here. The Kansas soldiers will be on their morals at Tabor. March!"

Our tents were pitched on the public square, and there the boys played ball. No oath escaped their lips. No chicken squawked through their agency. But for their raiment, they might have been taken for a convention of Sunday school superintendents and teachers.

It was then at Nebraska City that the challenge to A. W. Doniphan and A. G. Boone, but really intended for Vice President David R. Atchison, to decide by wager of battle the great contest of Kansas—one hundred men on each side, Lane and Atchison respectively to be one of the number—referred to by Senator Ingalls, and re-referred to by Mr. Noble Prentiss, was issued. I wrote it myself. Lane invited me to his room, laid down on his bed, pointed to a chair and table, and said: "Write!" Perhaps more than half the phraseology was mine; but the idea was all Lane's. I thought it was among the lost literature of Kansas until I saw it referred to in the Senator's work. The proposition was as he stated it.

They were to fight in the presence of twelve members of each house of Congress. Mr. Prentis said nothing came of it. He is mightily mistaken. If, in the exuberance of his youth and patriotism, he had been there, and had not been one of Lane's first volunteers, he would have been astonished at the number of young men who felt differently. I saw the blood in the eyes of the boys. Lane had been insulted by malicious fellows challenging him; he had been provoked almost beyond endurance; but he told me in seriousness and in sadness, he could never jeopardize the life of his fellow man, except in some great cause. In search of a copy of this peculiarly unique challenge, I wrote to that distinguished collator of historical events, Hon. J. Sterling Morton, United States Secretary of Agriculture, who is also President of the Nebraska Historical Society; and, while he was unable to furnish me the particular document asked for, he has furnished me more important information in the following letter:

UNITED STATES DEPARTMENT OF AGRICULTURE, }
Office of the Secretary, Washington, D. C., Sept. 9, 1895. }

Mr. JOHN SPEER, Kansas Historical Society, Topeka, Kansas.

DEAR SIR: I hasten to reply to your communication of September 6, and to inform you that Mr. James H. Lane issued no challenge to the people of Nebraska City to fight a duel—100 Free-State men against 100 Pro-Slavery men, and that such a challenge would have been utterly absurd, for the reason that there never were 100 Pro-Slavery men in Otoe county, in my judgment, from the date of its organization down to the present time.

Your recollection probably grows out of the fact that two aged men—William B. Hale, a native of Virginia and a slaveholder, and Capt.

John Lorton, a native of Illinois and formerly a resident of Burlington, Iowa—challenged Mr. Jas. H. Lane to name two, or ten, of his followers who would meet those two aged citizens alone, or those two with eight men whom they would choose, and fight a duel at short range, with muskets, rifles, shot guns or revolvers. But Gen. Lane declared that he and his people were merely peaceful emigrants going to the Territory of Kansas from Northern States, with the intention of quietly and without force making it a Free State.

At my home farm, Arbor Lodge, adjoining Nebraska City, I have the newspapers of that period bound, and when I visit Nebraska City, (as I shall probably in the month of October, the latter part thereof,) I will take pains to hunt up the matter, and see how near my recollection is to the facts.

Assuring you that I shall be pleased to contribute the matter you seek, if I can find it, I remain,

Very respectfully yours,

J. STERLING MORTON.

We did not mean to say that Lane had challenged the people of Nebraska City, for the very reason which Mr. Morton gives. The people of Nebraska, like the people of Kansas, were opposed to slavery.

Why these two gentlemen wanted to kill Lane and eight or ten more is not apparent; but Lane went them ninety per cent. better, and challenges stopped. Times have indeed changed, when the Governor of Texas convenes the Legislature to prevent a fisticuff. If the 100 men to each side had appeared, it would not have made any difference whether a quorum of the Congressional committee appeared or not. That challenge answered a purpose similar to the "Topeka movement"—it united the men. That prize fight—the prize of Free Kansas—was fought in thousands of battles.

A few days after, Lane marched with his command

toward Kansas, in hopes that the affair at Hickory Point could be reconciled with Gov. Geary. At the end of the first day's march, when we were encamped near a little town called Archer, and Lane and a few others had gone to the village hotel to hear the news and talk with the people, Dr. Cutter* appeared, and informed us of the assault of Capt. Harvey on Hickory Point and the capture of 101 of his men, taken to Lecompton, to be tried for murder. Lane at once called out his men, and as they stood in a hollow square, stated the exact situation, notifying the men that we could not resist the United States officers and soldiers, nor Gov. Geary; and advising all who had participated in the action at Hickory Point to keep away from Kansas, as he should do, and did for some time. Nine of us stepped out, saying we should go to Kansas, one of them Charles F. Garrett, afterward distinguished as an officer in the service of his country, though he had been in the fight. Travelling twenty-four hours without a morsel of food, Garrett led us off on a creek, where, when he was going north with Lane, he had represented himself to a Pro-Slavery settler as a member of the Doniphan Tigers, (a Pro-Slavery organization,) and was told exultantly that, with a little notice, the family could get up a good dinner for fifty of the Tigers any time. "We will see," said Mr. Garrett, "what they can do for a breakfast, this morn-

* This Dr. Cutter had before captured a Santa Fe ox-wagon train belonging to Col. Boone, of Westport, Mo., who was represented to have contributed ten thousand dollars to the Pro-Slavery fund in Kansas.

ing, for nine hungry Free-State men." There was a good deal of consternation, when the old Virginian recognized his familiar "Tiger" at the head of nine of Lane's men, armed with Sharp's rifles and revolvers; but it only facilitated the preparation of breakfast, and we passed on in peace. This was near Holton; and the next night we spent with friends at Indianola, four miles north of Topeka, and early the next day we were at our beloved home at Lawrence.

Our illustration, "Inside View of the Lower Prison Room at Lecompton," is a historic picture of political persecution, drawn by Mr. William Breyman, one of the prisoners. It represents Col. Titus, introducing and reading a letter on Nicaragua, and trying to persuade the prisoners to join him in a filibustering expedition to that country. While it gives a faithful view of their prison life, it more vividly illustrates the contrast between patriotism and tyranny. There stands Col. Titus, the unscrupulous adventurer, the propagandist of slavery, doubtful at least of success in overthrowing freedom in Kansas, ready for rapine and murder in any other country, as he was in Kansas. . Around sit men in want and distress, imprisoned falsely on the vilest charges, despoiled of their liberty and their lives endangered. Conscious of their own rectitude of purpose, every appeal to them is resisted with disdain and contempt. Theirs was the spirit of patriotism—the love of country and of liberty.

New circumstances arise to test them. Under the or-



INSIDE VIEW OF THE LOWER PRISON ROOM AT LECOMPTON.

ders of the War department of their country, as administered by Jefferson Davis, they had been imprisoned by Governor Geary. The time came when the very slave-power which oppressed them threatened the life of Geary himself, and he was compelled to notify them that the crisis was approaching when he should arm them for his personal defense. With cheerfulness and alacrity, they were ready for the conflict.

These men were charged with murder, and some of them convicted—defending their hearths, their homes and their firesides, their wives and their children; but, nevertheless, murderers! Was there ever a parallel to this condition of a ruler in a civilized government compelled to arm his convicts for his personal protection!

CHAPTER X.

THE FREE-STATE TRIUMPH.

Gen. Lane returned to Kansas March 3, 1857, having been absent from the October preceding. His first political action of importance was as president of the Free-State convention at Topeka, June 12. The convention declared that they would not submit to the Territorial laws, and he was authorized to organize the Free-State men into military companies. Gov. Geary was absolutely driven from the Territory for fear of his life by the Pro-Slavery brigands, and departed in the night. His resignation had been sent in several days before it was publicly known. Robert J. Walker, of Mississippi, was appointed Governor, and Frederick P. Stanton, of Tennessee, Secretary of the Territory. Within two days after his arrival in the Territory, Mr. Stanton made a speech at Lawrence, in which he declared "war to the knife and the knife to the hilt," to all who refused to obey the "bogus laws." President Buchanan threatened the people with Gen. Harney, the well-known Indian fighter, and many of the people thought it was because they were regarded as no better than savages.

At another Free-State convention at Topeka, July 15 and 16, he again presides, and refuses a nomination for Congress, but with the voice of Stentor, shouts to the people present, "But, at the proper time, I may whisper to you, that I want to go to the United States Senate!" At the Grasshopper Falls convention of August 26, he made a great speech in favor of the Free-State party participating in the election of October 5th for Territorial Delegate to Congress and members of the Legislature. "We have them in our power," said he, "both at the polls and with arms. Let us adopt the policy of meeting them face to face, under their infamous 'laws,' as a man in prison would seek liberty through a sewer! As Governor Walker and Secretary Stanton have traversed the Territory promising to secure fairness at the polls, let us hold them to their words." The convention passed this resolution:

Resolved, That Gen. J. H. Lane be authorized and empowered to tender to Gov. Walker the force organized by him under the resolution passed by the convention held at Topeka on the 15th of July last, to be used for the protection of the ballot box.

At the United States land sales at Osawkee, commencing July 15, 1857, the Pro-Slavery leaders took advantage of the situation to make the most violent speeches in denunciation of the "abolitionists;" but the Free-State men had got strong enough to meet them anywhere, and Lane responded with his usual sarcasm, in repelling their assaults, and in exposure of their outrages upon the rights of the people of Kansas. That occasion was really the first time and place when and where freedom

of debate had been asserted and maintained. While he was speaking, one day, a Pro-Slavery man called him a liar, and drew a revolver. Lane faced him, exclaiming, "Hold the assassin! I am a Kentuckian,* and recognize the code. Now step off twenty paces and give me my choice of weapons!" More than half that audience were Pro-Slavery men, and more than half the Pro-Slavery men were Kentuckians. A shout went up for fair play, and the dastard slunk away.

When the Lecompton constitutional convention met at Lecompton, the Free-State people had made arrangements to assemble in convention at the central headquarters of the infamy, and protest indignantly against the proposed tyrannous infliction of a slavery constitution. Then and there they met the leaders of invasion. Five or six hundred assembled, reaching Lecompton in almost impassable roads, from the recent rains and mud.

Hon. T. Dwight Thacher, in the Lawrence Republican of October 22, 1857, said :

It was a timely and judicious move, that Free-State meeting at Lecompton last Monday. . . . There is nothing so difficult for a scoundrel to do as to meet the clear, honest gaze of the man he is trying to wrong, and we can well understand why Sheriff Jones and his ilk should have gnashed their teeth in impotent rage as they listened to the burning words of the gallant Lane. . . . But there are some creatures destitute of all shame—reckless, abandoned

* It was such instances as this that left some people in doubt whether he was born in Indiana or Kentucky. "Chivalry" was in higher repute in Kentucky than in Indiana. He was a good-enough Kentuckian for that emergency. Mr. Cornman, the Osawkee landlord, said that "when Old Jim was first discovered, he was standing astride of the Ohio river, claiming both States."

villains; and of such is this convention. Gen. Lane's speech at Le-compton is spoken of, on all hands, as one of the nobiest of his life.

It must be remembered, in quoting Mr. Thacher, that we are quoting one of Gen. Lane's most positive opponents; and it is creditable alike to the editor and the orator that he had the manliness to do him justice.

The correspondent of that paper thus notices it:

No report, official or otherwise, could do justice to the efforts of Gen. Lane. For thrilling pathos, for withering invective, for crushing argument, for sublime earnestness of purpose, his speech of yesterday stands without a parallel in his history. Like an eagle, he rested upon the crest of the difficult mountain paths; and like an eagle, he beat down, with one flap of his wing, the carrion crow that assaulted him. Jim Lane the fighter is enough to scatter a panic through a legion of ruffians, but Jim Lane the orator is more an object of dread than was Cromwell to the infamous Long Parliament.

Sheriff Jones, Maclean, and a few others of the same stripe, exerted their utmost to create confusion and a fight; but the Free-State party, true to the noble impulses which have held them in all their struggle, forgave both the bullies and their insults, and in the midst of judgment, remembered mercy!

If ever a people, crushed beyond precedent, and goaded to the confines of madness, have held their indignation in a leash stronger than the woof of destiny itself, it is the Free-State people of Kansas. And we rejoice greatly at this. The greatness and the glory of the principles whose disciples they have been, are of themselves so transcendent in their beauty and their might, that the forbearance and long suffering of those who have endured so much in their behalf is but another and more conclusive evidence of their utter excellence and purity. We think the struggle is well-nigh over now. Through many days of anguish, and nights of weary woe, they have waited and watched by the tomb where their buried liberty lay; and now it is the resurrection time. The betraying Judas has done his worst—the lips of Pilate can add nothing to the pronounced doom—but afar off

we can hear the rushing of the angel's wings as he comes to roll away the stone from the sepulchre.

In this epoch, events rush upon us so that brevity fails in description. The reports are meagre; but the character of the committee on resolutions could not fail to bring out ringing denunciations of the tyranny and defiance to the tyrants. To those who know the committee, they could almost imagine what their utterances would be. William Hutchinson, E. B. Whitman, G. F. Warren, G. W. Deitzler, J. B. Abbott, O. E. Learnard and J. P. Root, could "utter no uncertain sound."

We give only one resolution:

Resolved, That we utterly and forever protest against the assembling of any body of men at Lecompton, on this day, or hereafter, claiming the right to act as our agents in making a constitution for our common observance; that we delegate to no finite power the responsibility of representatives, unless the people are first the free instruments of their election; and that it is the duty of "the whole people" to fervently repudiate and spurn any attempt to force upon them so contemptible an imposition as the professed work of that misnamed convention, and to set at naught whatever may emanate from them.

Lane did his full duty in the canvass, day in and day out, till victory was won at the polls. The preparation for battle warned the people across the line that danger was in the wind, and Lane in the field. The enemy adopted a new plan. They forged enough of election returns in two districts to carry the election of members of the Legislature—900 votes at Kickapoo, in the Leavenworth district, 1,632 at Oxford, in the Douglas and Johnson county district, the whole vote at Lightning creek, where



SHOUTING DEFIANCE INTO THE CONVENTION'S EARS AND
THE BATTERY'S MUZZLES.

there was no polling place, because it was an Indian reservation, and had no voters; and they disfranchised all the people in eighteen counties, by failing to report the census, and leaving them out of the apportionment, thereby depriving them of three or four representatives. When such returns were ascertained to have been sent in to the Governor and Secretary, who constituted the returning board, an aroused public sentiment prepared for battle. The number of members returned as elected were twenty Pro-Slavery members out of thirty-seven in the House, and eight in the Council out of thirteen. Of course contest was impossible of success. To accomplish this result in the Douglas and Johnson district, the judges of election at the Oxford district, on the Missouri line, a precinct that had not fifty male inhabitants of voting age, crossed the line into Missouri, and made up a poll list of 1,632 votes, counting about a dozen "abolition" votes to make the fraud look as if such votes had actually been cast, where it would have been all a Free-State man's life was worth to have looked on. The notorious Sheriff Jones was at that election. Walker and Stanton, the Governor and Secretary, were openly and boldly notified that the perpetrators and their aiders and abettors would be hung if the certificates were issued; and a hanging committee got into the neighborhood of Oxford just a little too late to catch the judges of election. Investigation developed the fact that the names upon the Oxford list had been copied bodily from an old Cincinnati directory; and this discovery was made by

the singular fact, that they had inserted the name of that great patriot, who had been United States Senator, was Governor of Ohio, and became Secretary of the Treasury and Chief Justice of the United States, SALMON P. CHASE. The ignoramuses did not know Salmon P. Chase from John Doe or Richard Roe!*

Under the terrible indignation of the people, Walker and Stanton threw out the returns at Oxford as "simulated and fictitious," and issued the certificates to the Free-State men. And thus the triumph of Freedom was assured.

But the Lecompton constitution forever establishing slavery was upon us; and Lane started in a new role of demanding a call by the Governor for an extra session of the Territorial Legislature, to secure a fair vote on the Lecompton constitution. It was then that, in the language of Senator Ingalls, so often reiterated, "the electric shock of his extraordinary eloquence thrilled like a trumpet," and he "swayed the people like a field of reeds shaken in the wind"—but let no man accuse me of garbling by leaving out the beautiful symbol of the "rasping gutturals of a Dutch butcher in the last gasp of inebriation." It was then, too, to quote the same eloquent author, that "his energy was tireless, and his activity indefatigable. No night was too dark, no heat or cold too excessive, no distance too great to delay his me-

* This poll list was fifty-two feet in length, in a good clerical hand, the manuscript scarcely soiled—the clearest fraud transparent in the impossibility of its having passed the ordeal of 1632 whisky-drinking, tobacco-chewing Missourians.

teoric pilgrimages, with dilapidated garb and equipage, across the trackless prairies from convention to convention." His theme was the Lecompton constitution; and his demand was that the Governor must—yes, MUST and SHALL were the words—call the newly-elected Territorial Legislature of Free-State men, in extra session, to provide for an honest vote on that charter of iniquity and tyranny, the Lecompton constitution. Everywhere were seen the old moccasin-colored horse and his rider with the slouch hat, seal-skin coat and calf-skin vest, in his Paul Revere ride, announcing that nothing short of that action would save Kansas from the curse of slavery. He never held less than three meetings a day. Couriers were sent ahead of him from one meeting to another. The people seemed to rise up as if by instinct. On one day he rode ten miles to speak at eight o'clock in the morning, and thirty more to speak at 3 o'clock in the afternoon, and still twenty more to speak at 7 o'clock at night.* His utterances may have been wild, but nobody denied that they were convincing.

All this time the members of the legislature were assembling at Lawrence. They met to deliberate; but it

*Col. M. M. Murdock, of the Wichita Eagle, is wont to tell of a similar exploit, in which he accompanied Lane from Burlingame. "He made a talk to quite a crowd at Council Grove after breakfast; between 10 and 11 A. M., he spoke at Wilmington, Wabaunsee county; driving to Burlingame, he took dinner, where he delivered another speech of an hour's duration in Judge Schuyler's old mill; between 4 and 5 o'clock, he made another speech at Auburn, Shawnee county; after supper, he made his fifth speech for the day, in the old representative hall at Topeka. At about 1 o'clock that night, getting fresh horses, he left for Lawrence, arriving at his home just after daylight, where Speer and Shimmons were waiting to hold a caucus—a tour of over 90 miles."

was as rapid deliberation as ever was known in a deliberative body. They prepared a draft of a petition, and all signed it, appealing to the Governor, in the name of justice, to allow the people to say whether or not they were in favor of slavery.

At this juncture, Col. Shaler W. Eldridge appeared upon the scene, and declared that he would go to Le-compton and present the question to Mr. Stanton, the Secretary, ex-officio Governor—Governor Walker having fled the Territory. He went; and, begging the Governor and his advisers to ask him no questions as to how he knew, but assuring them that he DID know, that the people had resolved that patience had ceased to be a virtue, and that an organization had been effected compared with whose operations the worst days of California vigilance committees would be mild amusement; and that, unless that legislature was called, men would be hanging upon trees.* He returned with the Governor's promise to call the legislature, and at once, at his request, this writer went to Leavenworth to advise Lane. I arrived a little after noon, and was told that Lane was at Stock-ton's Hall. I found it a big room, full of men, all standing, and greatly excited. Dr. Davis, a conservative Free-State man, suspected of Pro-Slavery symptoms, was denouncing Lane's actions as tending to a disturbance of the peace, endangering the lives and property of

*It was supposed by some that these intimidations induced Gov. Denver, at the regular session following, to recommend, in his message, an investigation as to whether an organization similar to the Danites among the Mormons existed in Kansas.

the people. As he concluded, Lane slowly ascended the rostrum, which was a store-box, as I pushed through the crowd, and had but opened in his reply, when I took him by the elbow, and, as he stooped down, told him that STANTON HAD called the Legislature. It was then that Pro-Slavery piety was shocked, as the "intermittent form of Lane's religion" gave way; and he exclaimed: "Great God! I am amazed at the cowardice around me; but I have the honor to announce to the weak-kneed, timid Free-State men, trembling in fear of their lives and property, and to the hell-hounds of slavery, chuckling over their timidity, that STANTON HAS CALLED THE LEGISLATURE! and there is no devil too vigilant, and no hell too hot for the tyrants and oppressors of Kansas!"

The sentiment was too deep for cheering, and the audience quietly dispersed, the Pro-Slavery men crest-fallen and the Free-State men in doubt, as if the news were too good to be true.

The next night a little after dark, I reached Lawrence, and rushing into the Lawrence Republican office for the news, I found Mr. EDWARD P. HARRIS (so long since eminent as a printer in the State Printing department) setting up the following

PROCLAMATION.

TO THE MEMBERS OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF KANSAS:

An extraordinary occasion having occurred in the affairs of the Territory, within the meaning of the thirtieth section of the Organic Act, which authorizes the Legislature to be called together on such occasions:

I, FRED. P. STANTON, Secretary and Acting Governor, do hereby summon the members of the Council and House of Representatives of the said Territory, to assemble in their respective houses, at Lecompton, on Monday next, the 7th inst., then and there to consider matters of great moment, pertaining to the public welfare.

Given under the seal of the Territory, at Lecompton, this the first day of December, A. D. 1857.

FRED. P. STANTON.

The legislature met, first informally at Lawrence, and arranged for their appearance at the capital. Lane organized 900 men, (Wilder's Annals says 1,200, but no count was made,) and escorted the legislature in triumph to Lecompton. The cavalcade, except the cavalry, were in every conceivable manufacture of vehicle. The vote was ordered and the constitution defeated. The death-knell of slavery was rung.

The men that were "going to kill Lane and his abolitionists at sight," "hunted their holes." The triumphal march to Lecompton was an epoch in the history of the Kansas struggle never to be forgotten. An immense meeting again assembled in front of the same building at the steps of which Lane had before denounced the convention, now used as Representative Hall, where he and others again addressed the people.

Our illustration represents the cavalcade passing the pioneer home of Col. William Nace, on the heights approaching Lecompton, all the multitude, from the east, the south and west having concentrated just south of that point. (See page 165.)

But there was a resurrection. The English bill in Congress re-submitted that constitution to vote, with the

largest bribe of land ever proposed since that offer was made "on an exceeding high mountain" of all the kingdoms of the earth—a bribe in one hand and a threat in the other—admission and slavery with a bribe, but no admission without slavery. The overwhelming defeat of the Lecompton iniquity, under the English bill, is too well known to need reiteration. And afterward, Kansas was practically free, though the contest was not over, either in Kansas or in Congress.

The Legislature ousted all the Leavenworth delegation on the Kickapoo fraud. They passed a bill for a fair vote on the Lecompton constitution, an act for organizing the militia, and elected Gen. Lane Major-General, with a full military board, and enacted other laws for the protection of the ballot-box, doing nothing contrary to the pledge signed before the call was issued for an extra session.

The vote on the Lecompton constitution, as submitted by act of the extra session, January 4, 1858, stood as follows: Against the constitution, 10,226; for the constitution with slavery, 138; for the constitution without slavery, 23. On the same day, the vote was taken for officers of state, for congress and the legislature, and the highest vote was on congress: Parrott, Free-State, 7,620; Carr, Pro-Slavery, 6,574; 3,000 of those cast for Carr being fraudulent votes at Oxford, Shawnee and Kickapoo. An act was passed by the extra session to take a census of the voting population of Oxford and Kickapoo, and by that census, Oxford had but 42 male inhabitants

of voting age; but I can find no separate census of Kickapoo.

In this chapter on the dying throes of slavery is perhaps as good a time as I could find to get in some incidents and anecdotes of "the institution."

The records of Douglas county show an order in the probate court relating to slaves.

George W. Clarke, the murderer of Barber, published a card for his "negro woman, Judy," who he said, "is no doubt lurking in or about Lawrence, if she has not already secured a passage on the underground railroad to Chicago." Judge Elmore of the United States court brought eleven slaves to Shawnee and Douglas counties. In many trips from Lawrence to Topeka in the winter of 1855-6, I saw one of his slaves at the hotel at Big Springs, hired out to the landlord, and I sat by the fire, while that slave mother, her infant creeping at her feet, cooked my meals.

Judy, advertised for by Clarke, made good record for humanity. She went to the house of Mr. Alphonso Jones one night, and rapped at his window, and as he looked out, in a hoarse whisper, said: "Massa Jones! Massa Jones! min' what I tell you; dey're going to kill you to-morrow night, as you comes home from dat abolition meetin'. Now min' wat I say—Ize gone!" Thus warned, Mr. Jones remained in Lawrence that night. Clarke had Jones' house searched afterward for her, but never found her. Clarke fired at him once, and shot a hole through his hat, and at a Lawrence meeting, as-

saulted him on the speakers' stand. But Clarke was a favorite of the Pro-Slavery leaders.

Secretary Stanton, who lived in a mansion he built in the same neighborhood, brought three slaves with him. The Secretary was by nature a kind-hearted man, with an admirable family. Mrs. Stanton kept a governess to teach her children; and as there were no schools elsewhere, invited three of the little Jones children and others to her house, and they were taught by that accomplished governess.

Mr. John H. Shimmons was another man who lived in that neighborhood, and had several seances with Clarke, and they "discussed the questions at issue" one night with Sharp's rifles. There were Pro-Slavery preachers in those days; and it is related of Shimmons, that, one night, just at dark—very dark at that—he met a minister of that cast of mind in quest of Lecompton, who remarked that he did not know where to go because there were so many abolitionists around there; and inquired if he could tell him the way. Shimmons blurted out: "Yes; but you can't find your way there, through the brush, this dark night, any more than you can get to heaven by the Pro-Slavery route. I am one of those 'infernal abolitionists;' but if you want to stay with me, you are welcome." In fear and trembling the preacher accepted the invitation. All the family made the visit agreeable, and to those who knew Mrs. Shimmons, it is unnecessary to say that that preacher never got better meals than he found at that "abolition"

cabin. The pleased preacher proposed "a season of family prayer," and, with an expression of doubt as to whether a Pro-Slavery prayer would do him any good, Shimmons assented, the preacher prayed and departed in peace.

A man by the name of Bourne, on Washington creek, had about a dozen; and among them was one Tom, in whom he confided as an overseer. Bourne himself began to oversee the destiny of slavery, and called up Tom to consult him about "going back to old Virginia." Bourne had said he came to Kansas to establish slavery; Tom took him at his teachings, and replied: "No, no, Massa Bourne. I came to Kansas to 'stablish de institution,' and I'm goin' to see it froo." It was not two weeks till Tom had "seen it froo," and he and most of the other slaves had gone.

A man by the name of Skaggs made a big hole in the dense woods opposite Lecompton with slave labor; but when war was made on the "abolitionists," he fled to Texas before "the handwriting upon the wall," with all his slaves. Just after the war, I was passing over a fine farm on the Verdigris bottoms, when a robust colored man came out of one of two substantial log houses, and to my inquiry if he owned that farm, he replied that he did, and came from Texas, and said: "You are Mr. Speer?" "How did you know me?" "I lived up the Kaw bottoms from Lawrence, and have been at that Yankee town many a time. I was Mr. Skaggs' slave." "Where is Mr. Skaggs?" "He is is a poor man now.

He lives in the other house, and I rent out the half of the farm to him on the shares."

When Lane shrieked it across the valleys and prairies of Kansas, "Henceforth and forever, I am a Crusader of Freedom!" the fiery ordeal was on us, and he never halted till the last vestige of the accursed institution had not only been swept from Kansas, but blotted out forever from the national statutes.

CHAPTER XI.

“A TURBULENT AND DANGEROUS MILITARY LEADER.”

When Congress met, on the first Monday in December, 1857, President Buchanan earnestly recommended the admission of Kansas under the Lecompton constitution, anxious to avert the effect of any action of the newly-elected Territorial Legislature, now in the hands of the Free-State men. There were no telegraphs to Kansas in those days, and for our purposes just then, we did not need any; for the President could not learn that a restless spirit “with dilapidated garb and equipage,” was roaming “across the trackless prairies from convention to convention,” in an earnest endeavor to circumvent the machinations of the chief executive and other Pro-Slavery leaders for the overthrow of freedom in Kansas. They did know who to look out for as well as the British knew that “Mr. Washington sat upon a strapping stallion.” Congress met but three days after the Kansas special session had been called.

On the re-assembling of Congress after the holidays, the President sent in a special message, accompanying

the Lecompton Constitution, in which he denounced the people of Kansas as a lawless people, "in rebellion against the government, with a military leader at their head of most turbulent and dangerous character."

We give the full speech of Gen. Lane, in reply to this accusation :

FELLOW-CITIZENS: With your permission, I will occupy a few moments of your valuable time in noticing a special message of the President of the United States transmitting the Lecompton Constitution to the Senate.

No one regrets the necessity for such a notice more than myself; but an official paper emanating from the representative of the government is presumed to be correct, at least in its recitation of facts. But whether proceeding from ignorance or malice, I venture the assertion that the message stands without a parallel in its falsification of history. [Applause. A voice: That's so.]

I hope to demonstrate that it contains an unmanly assault upon a patriotic, patient and peace-loving people. It is known to you, and it is a matter of history, that there never has been in Kansas any organization, public or secret, armed or unarmed, against the General Government, or the Territorial Government.

At the great Delegate Convention held at Big Springs, in September, 1855, it was unanimously resolved, after full discussion and deliberation, not to organize in resistance to that code, but to leave each member of the Free-State party free to act independently in that regard. Never has there been a moment in our history when writs could not be freely served in Lawrence or elsewhere in the Territory. Towards that Missouri code we adopted the LET ALONE policy, neither resorting to nor resisting it; and it fell of its own weight beneath the contempt of an indignant people. [Applause.]

While the Territorial officers appointed by the Federal Government have been regarded and watched as enemies, yet their authority has always been acknowledged and their positions respected. Knowing, as we long have, that a collision between the people of Kansas and the

Federal authorities was sought for by our enemies, both here and in the General Government, we have borne and forborne as Americans were called on to do before us.

When our Territory was occupied by four distinct armies from foreign states, laying waste the country and avowing to exterminate the people of Kansas, before resisting them we called upon the Territorial authorities and the commandant of the United States troops for protection. Not until that protection was refused, did we attack the marauders. NEVER HAVE THE PEOPLE OF KANSAS BEEN IN ARMS EXCEPT TO RESIST INVASION FROM OTHER STATES.

Before the convention at Big Springs, a meeting had been called at Lawrence, to organize the Democratic party in the Territory. In that meeting, the plan was brought forward to organize a State government under the Enabling clause, not doubted at that time to be emphatically enunciated in the Kansas-Nebraska bill.

At Big Springs this plan was embraced as the peacefully legal one, in preference to organized resistance to the Territorial laws, to save the effusion of blood, and avoid those laws, instead of coming in conflict with them. The delegates were fairly elected by the settlers of Kansas. A constitution was formed, republican in its form—submitted as an entirety to a fair and full vote of the whole people, and ratified by them; State officers and members of the Legislature, a Representative to Congress, and two United States Senators, were elected, and the constitution forwarded to Congress, with an humble prayer for our admission under it as one of the sovereign States of the Union.

Had that prayer been granted, hundreds of lives and millions of property would have been saved to the people of Kansas. Since that time we have been struggling for admission, that peace might be restored and perpetuated, and the sovereignty of the majority vindicated.

When we were weak, and Missouri strong, our enemies obtained possession of the Territorial government. Although we believed that precedent and law would justify us in putting the Topeka government in motion, and that when put in motion, it legally superseded the Territorial government, yet at all times have we been anxious to

seize the Territorial government. The first opportunity which occurred, we DID embrace, and took possession of it.

It is known to you that, had there been a CHANCE of success, under the fraudulent registry made by our enemies, we would have contested the election of delegates to the Lecompton convention. Your speaker returned to Kansas in disguise, at the imminent peril of his life, for the express purpose of using his humble efforts to induce the people to go into that election.

The Topeka Legislature is now in session passing a code of laws, with the distinct understanding that that code is not to go into effect until we are admitted into the Union, or until war is declared against us by the reception of the Lecompton Constitution.

There never has been a fair election under the Territorial authority. Our border was invaded at every election by organized bands from Missouri—strangers to our soil—our ballot-boxes seized, and our settlers driven therefrom by force. The Territorial militia officers were our enemies.

In view of this, at the convention when we decided to go into the October election, it was determined that I should be authorized to organize the people for the protection of the ballot-box. That organization was had. Although we could not prevent the MANUFACTURE of fictitious returns, we DID keep back the armed hordes, and secured the Territorial Legislature to the people.

The right to defend one's self is held to be inalienable. The American right of suffrage is believed to be equally sacred. The organization had no other object than that indicated; and immediately after the election, the position was surrendered into the hands of the people. The only design in enrolling the names of those who refused to join the organization was to secure a full census of the voters, to serve as a corrective of the returns, for the detection of frauds.

The Lawrence charter association was a mere squatters' movement. It was news to our people to learn from Gov. Walker that it was the commencement of a great system. In that matter he deserved and received the ridicule of all sensible men, and no man was more chagrined than himself at the mistake he had made.

As I have shown, and as is known to you, the people of Kansas could

not participate in the election of delegates to the Lecompton convention with the slightest hopes of success. The registry was named by our enemies to defraud us. The election officers were villains of the deepest dye. The people remained at home necessarily, and with but few exceptions, the vilest men were elected delegates to frame a constitution. They met, and by the aid of Federal bayonets consummated their villainy; and I assert here, that but for those Federal bayonets, that crime would have been prevented by an outraged people in a summary manner.

In consonance with their program, a trick of submission was invented to impose upon the Congress of the United States. With the government under that constitution in the hands of our enemies, we know that Kansas would be as fully a slave state without the slavery clause as with it. The submission of the slavery question was of itself a mere mockery. Leaving out of the question altogether the principle, as asserted by our fathers, that representation and the exercise of power are inseparable—the fact that the constitution was framed by the enemies of the people, protected by Federal bayonets, and not submitted, is deemed sufficient to justify American freemen in resorting to extreme measures to prevent its being enforced as their organic law. Should Congress receive it under the circumstances, it would be in all respects the infliction of a constitution by the central government upon the people of the state contrary to their wishes, and in violation of their plainest rights. The spectacle of the central government forcing an unwilling people into the Union would be somewhat anomalous.

Fearing the action of a partisan Congress, elected with deep prejudices against us, under protest, and with no other object than to induce that Congress to reject the Lecompton Constitution, a portion of our people, on the 4th of January, participated in the election of state officers and members of the legislature under it. By decisive majorities, we elected enemies to that constitution. Frauds which would drive any other people than those of Kansas into bloodshed and civil war, were perpetrated to crush us. By years of suffering and oppression we are driven to the wall. Should Congress, by the influence of a corrupt and tyrannical Executive, receive that constitution,

and attempt, by Federal authority, to enforce it upon us, we are determined; and nothing is left for us but the alternative of manly resistance.

If we bravely fall in such a struggle, we will at least have maintained our reputation as freemen worthy of our ancestry. If we succeed, it will be a lesson to the central government that Americans

“Know their rights, and knowing dare maintain.”

For three years we have spit upon the Missouri code; and all the powers of Missouri and the General Government could not enforce its provisions against our contempt! Our own Territorial government has now repealed the obnoxious features of the code. Should Congress receive the Lecompton Constitution, they restore to life that repealed code. If in three years the central government could not enforce it before its repeal, how many years will it require to enforce it afterwards? [Laughter.]

The Kansas-Nebraska bill secures to the foreigner who has declared his intentions, the right to vote. The Missouri code takes that right from him, and confers it upon the Indian. We have vindicated the right of the foreigner under the Nebraska bill by the repeal of the law. Should Congress receive the Lecompton Constitution, this law is again revived, and he who votes for the reception endorses the doctrine.

As a speedy and peaceable mode of settling our difficulties, the people framed and ratified the Topeka Constitution. By a decisive majority, that constitution was received by the popular branch of Congress. Since that time we have had a lively hope that the Senate would ratify the action of the House. To remove all pretext, and as a sacrifice to the unfounded prejudices in the minds of the opponents to that constitution, the first Territorial Legislature under the control of the people has passed a bill calling a convention to frame another constitution. The law is fair to all, and provides for submitting the constitution to be framed to a fair and full vote.

The movement is tendered in a Christian and patriotic spirit, as a compromise, for a speedy and just settlement of the Kansas question. Why should not Congress and all parties receive it as such? Before the Lecompton constitution can possibly pass, this Constitution will

be before that body. By endorsing it at once as their action, thus recognizing the right of the people to fix details in the settlement of their own affairs, peace is permanently secured, and the rights of the majority vindicated. On the contrary, should Congress persist in forcing upon us a constitution, war, devastating war, must follow. It may be extended all along the line to the Atlantic coast, and the President may be compelled to look upon the fragments of a broken government. God grant that justice may prevail, and such a scene never be presented.

The people of Kansas are qualified to manage their own affairs. They have sternly opposed Missouri intervention, and would have opposed intervention from Northern states or aid societies as firmly.

They have originated their own policy—engineered their own cause—they have ever been loyal to the government and true to the Union, and he who charges otherwise wrongs them and falsifies their history.

To the charge made by the President against me personally, I have this to say: That the allegation comes with a bad grace from him or his party. I could not have been a "turbulent" character when that party endorsed me, by thrusting upon me, by unprecedented majorities, three of the most important positions in the state of Indiana—all of which I held at one time—those of Lieutenant-Governor, Elector-at-Large, and member of Congress. That character could not have been won by me while leading the troops under Federal authority in the Democratic Mexican war, when I stood upon the field where Pierce faintly reclined. [Laughter.]

It was not "turbulence" to my then party that induced me to vote for the Kansas-Nebraska bill, in obedience to the instructions of my constituents—obtained, as I afterwards learned, through fraud and misrepresentation, by the vile creature, John L. Robinson, in obedience to his Bright* friend. Are my earnest and energetic efforts, upon my arrival in the Territory, to build up the Democratic party in Kansas, to be used as a foundation for the charge of "turbulence" by the head of that party? †

* Senator Bright, of Indiana, afterward expelled as a rebel.

† The Border-Ruffian legislature passed a resolution that the organization of the Democratic party was "a measure now on foot fraught with more danger to the Pro-Slavery party" "than any which has yet been agitated."—WILDER'S ANNALS, page 71.

Is the fact that the Tópéka movement was first brought forward in a Democratic convention, to be used against me? Is my anxiety to participate in every election that has occurred in Kansas since I reached her border, to prejudice me?

Having on all occasions insisted upon the sacred observance of the right of property without reference to political opinions—having treated all prisoners kindly and courteously, I am forced to the conclusion that the “head and front of my offending” must be found in the fact that I have sternly and fearlessly vindicated the right of the people of Kansas to frame their own laws and mould their own institutions “in their own way.”

The message of James Buchanan evidences that he is on the same downward road that his predecessors and the Governors of Kansas have so successfully travelled. [laughter,] that of acting in our affairs upon the representations of the Pro-Slavery fillibusters of Kansas and Missouri. The politician who does it “has already fallen.”

Let Buchanan howl and Congress enact. Kansas is free; and all the powers of the earth cannot enslave her! To-day the people of Kansas are a unit. So long as that unity is preserved, nothing can prevail against her.

For cool, calm, discreet reply, in a trying crisis, this speech has few parallels. The dividing line between resistance to Federal and “bogus” authorities, to many minds, was a very narrow one; it was the Scylla and Charybdis of political action, with monsters ready to devour on all sides; but he defines it well. He is diplomatic—Talleyrand never was more so; but he is diplomatically correct. He “spits upon the Missouri code,” and very narrowly misses the whole administration. It is the Patrick Henry admonition, less blunt and more polite, if not more emphatic, substantially saying, “We have driven ‘three distinct armies out of Kansas,’ the Missourians, Georgians and South Carolinians, ‘split

upon their laws' and defied them; we have politically decapitated five Governors, and sent them to perdition; and James Buchanan may profit by their example. If that be treason, make the most of it."

The Lecompton Constitution was the culmination of the last desperate effort to overthrow the freedom of American citizenship and establish slavery in Kansas. In this message the President says: "It has been solemnly adjudged by the highest judicial tribunal that slavery exists in Kansas by virtue of the Constitution of the United States. Kansas is, therefore, at this moment as much a slave State as Georgia or South Carolina."

That was the dogma of all the propagandists, which, after great struggles, they had practically sustained by the Dred Scott decision.

Lane, with many others, had previously been indicted by the Territorial grand jury of the United States court for Kansas, but no man dared to attempt his arrest, and he defied all the authorities.

In this message, after stating that he has received a copy of the Lecompton Constitution from John C. Calhoun, which he transmits to Congress, the President says:

Ever since that period, [his inauguration,] a large portion of the people of Kansas have been in REBELLION AGAINST THE GOVERNMENT, WITH A MILITARY LEADER AT THEIR HEAD OF MOST TURBULENT AND DANGEROUS CHARACTER.

Nearly three columns are occupied in denunciation of Lane and his "followers" for their disregard for the enactments of a legislature fraudulently forced upon the

people. But the convention that framed the Lecompton constitution was still worse. A few Pro-Slavery men were elected to the first legislature; but not one man of that Pro-Slavery convention could have been elected upon the slavery issue without the intervention of the United States army; and under the conduct of President Buchanan's administration, not more than three or four of them could have been elected as plain Democrats, ignoring the slavery issue.

Neither President Pierce, nor his War Secretary, Jefferson Davis, both of whom were with Lane in the Mexican War, nor President Buchanan, whose imbecility permitted the War of the Rebellion, made any mistake as to who led the forces of Freedom in both those disastrous, diabolical administrations.

But Lane never faltered. We must recollect that, at that time, in the dead of winter, we were two hundred miles from railroad communication, dependent upon the stage coach for transportation of the mails. As soon as the intelligence reached him he took the stump in opposition to the position of President, rallying the people—inspiring them with his own ardor and energy.

He stood the central figure of the President's fulminations of death and destruction. The administration had brought all its powers of influence against him. It had bribed the press—had hurled from power and place every man who dared to whisper his sympathy for us in our oppressions. The timid conservative stood in fear; the tyrant, the brigand and the assassin were on the

alert; a bogus indictment for treason stared him in the face. It was the only time in the history of America when a President had made a public man, asserting the rights of a people, the subject of a special message with threats of the use of the American army to back him in his tyranny. Under any other influence than the oligarchy of slavery, a President thus guilty would have been impeached and hurled from power as a tyrant.

CHAPTER XII.

GOV. DENVER'S ASSAULT UPON LANE AND HIS STAFF.

Gov. Walker having fled the Territory in fear, and appeared at Washington, shortly after his action on the Territorial election of 1857, which gave the Free-State party power, the Territorial Secretary became ex-officio Governor; but the calling of an extra session of that legislature to provide for a fair vote on the Lecompton Constitution was an act so obnoxious to Buchanan's administration that he was removed, and the appointment of Hon. John W. Denver as Secretary sent to the Senate. After an acrimonious debate, his appointment was confirmed December 10, 1857, three days after the meeting of the extra session of the Territorial Legislature; but he did not assume his duties till after the adjournment of that session.

By act of that session, James H. Lane was made Major-General of the Territorial military forces, and soon after went to the relief of the people near Fort Scott.

In his first message to the regular session of the Territorial Legislature, Gov. Denver calls the attention of that body to the outbreak in the following language:

Having but recently arrived among you, it could hardly be expected that I should have that exact information in relation to the internal affairs of the Territory that a longer residence would have afforded; but I have seen enough to satisfy me that much of the animosity and bitter feeling now existing proceeds more from personal hostility than from political considerations. These had their origin in the troubles growing out of the first settlement of the country, and the vindictive feelings then engendered among the prominent actors have, in many instances, sunk into personal hatred. Thus, you find the most bitter feuds existing all over the country, which, when traced back, are found to have originated in some personal quarrel.

The southern part of the Territory was lately convulsed about a claim to a quarter-section of land. One man, with his friends, forcibly removed another from a claim, and, for so doing, they were arrested, under a writ issued by the United States Judges, and held to bail for their appearance at the next term of the court, to answer the charges made against them. A cry of "persecution" was immediately raised, and this petty difficulty was soon elevated to the dignity of "a war between the Free-State and Pro-Slavery parties," and, at one time, threatened to draw the whole Territory into the quarrel. The difficulty was not at first a political one, but it was seized upon as a pretext for their acts, by those lawless and restless men who are never satisfied except when engaged in some broil or exciting trouble. Such acts are demoralizing in their effects upon the public mind, and it behooves every good citizen to discountenance them, and assist in bringing the actors to punishment. To quell these disturbances, I have deemed it necessary to send a detachment of United States troops into the neighborhood, which has had the effect to restore peace to the community. The rumors of battles and killing various persons, with which the country was rife at the time, have proved to be untrue, the marauders having confined their operations to the indiscriminate plunder of friends and foes.

The Governor had so "recently arrived," that he was doubtless not informed by his Pro-Slavery advisers that all this trouble originated in the fact that the murderer



GEN. LANE ESCORTING THE LEGISLATURE TO LECOMPTON.
(SEE PAGE 146.)

of Thomas W. Barber was the primitive cause of all that difficulty. It is unnecessary to state that the murder of Barber was one of the barbarities of slavery which had no ameliorating circumstances in it. The whole matter has been investigated, and the public mind universally satisfied as to who perpetrated the murder.

I personally participated in a melee where Clarke attempted the murder of Dr. (since Governor) Charles Robinson, at a very early period in our history. It was at a meeting at Lawrence, to consider some squatters' rights in regard to town property, held on January 11, 1855. I had never attended a meeting so boisterous as this one. There were five hundred persons present, all armed. Mr. Alphonso Jones (heretofore referred to) had attempted to speak against Clarke on a claim question. The stand was a store box, and Clarke "went for him" behind his back, sending him at least a rod over the heads of the crowd around the stand. Some of the crowd yelled, "Now go for them," and Clarke drew his revolver on Robinson. As he did so, I jumped for him, caught his weapon, and turned its muzzle as directly as possible upon his heart, determined, if he pulled a trigger, he should take the contents. As we struggled for the gun, a Kentucky Pro-Slavery man, as determined as I was to prevent bloodshed, came to my assistance, and quiet was restored. If Clarke had murdered Robinson, the "convulsion" would have started right there. It seems strange to the civilization of the present day, with what pertinacity the government protected that man,

and promoted him in office. He had shot at not less than four men, besides the man he murdered and the one he attempted to murder at Lawrence. Mr. James L. Wallace, a North Carolinian, had only arrived in his neighborhood, when Clarke sent him a government musket "to shoot Yankees," which he refused.

For a clear understanding, and a comparison between the official courtesy of Gen. Lane and Gov. Denver, we quote the Major-General's report :

HEADQUARTERS KANSAS MILITIA, {
LAWRENCE, Jan. 15, 1858. }

TO HIS EXCELLENCY, THE ACTING GOVERNOR OF KANSAS TERRITORY,
THE PRESIDENT OF THE COUNCIL, AND SPEAKER OF THE HOUSE OF
REPRESENTATIVES OF THE LEGISLATIVE ASSEMBLY:

GENTLEMEN: In the discharge of duty, I submit the following report on a subject which has excited much interest and comment. At the time of my election by your honorable body, as Major-General of the militia, news was rife, as you will remember, of a disturbance in Bourbon county.

Immediately after the adjournment of your special session, I repaired to the scene of action, sending Generals Phillips and Plumb in advance, to inform the people that a force of U. S. troops were moving in that direction. Accompanied by Generals Stratton, Whitman, Shore and Leonhardt, I arrived at Sugar Mound, where the people were encamped, under the command of Col. J. B. Abbott, shortly after the messenger. On inquiry, I ascertained that the people had been compelled to take up arms for these causes and reasons:

Two years ago, a man named G. W. Clarke, notorious for his connection with the murder of the lamented Barber, organized a band of marauders in Missouri, who invaded that district of the Territory, laying waste the country, driving off the Free-State settlers, plundering and insulting them and their families, and then taking possession of their claims and stock, which they were compelled to leave. During the present summer and autumn, a number of the settlers

thus expelled from that district, returned, and endeavored, by peaceable means, to recover their rights and property. They were met by writs obtained from unscrupulous and unjust officers, many of them arrested on pretended charges, for offenses which were never committed, and imprisoned in Fort Scott, in cells unfit even for felons to inhabit; in several cases their property was sold at nominal prices, and driven out of the Territory, to defray expenses not yet accrued, and other outrages perpetrated similar to those which drove the people to arms in former periods of our history. During the perpetration of these outrages, Col. Abbott, Dr. Gilpatrick and Rev. J. E. Stewart, who had been ordered there, arrived and proceeded to establish a Squatters' court, for the redress of grievances and the restoration of peace. About the time they closed their sittings, having decided all the cases on the Little Osage, they were assaulted by an armed mob, five times their number, pretending to act under the authority of a U. S. Marshal. The assault was successfully worsted [resisted]—several assailants killed and wounded, and the remainder driven back to their dens in Missouri. It was immediately after this conflict that I arrived at Sugar Mound, proceeded at once to enroll the people under your act of Dec. 17th; sent out scouting parties in all directions, informing the people that we were to protect all actual settlers, without reference to their political opinions. We were kindly received by all, and our authority cheerfully recognized.

On the evening the companies were to be disbanded, our scouts brought news that a company of U. S. troops were moving upon us with the avowed intention of attacking us. We immediately took position, intending, if possible, with honor, to avoid a conflict, but prepared to meet it successfully, if forced upon us. We remained in this position, thus taken, until we ascertained that the U. S. troops had marched to Fort Scott, and had received written assurances from Judge Williams that the Free-State prisoners would be protected and treated kindly. Peace being restored, we disbanded the command, retaining two companies in the field, some thirty men, with orders to protect the inhabitants.

On my return to Lawrence, a writ from Judge Miller, Probate Judge of this county, was placed in the hands of Captain Miller, of

my command, for the arrest of the judges and clerks of the election in Johnson county, who had participated in the frauds committed at the election held on the 21st of December. As the prompt service of the writ was deemed important, I thought incumbent to go in person with the command. The duty was discharged and the command disbanded.

These expeditions have been attended with some expense, a full and concise account of which has been kept, and will be transmitted, with vouchers to you, from the Quartermaster's and Commissary's departments.

As the object of the organization, provided for in the law of December 17th, was the protection of the people of Kansas, and as the action had been indispensable in that direction, it is hoped it will meet your hearty approval. Respectfully, J. H. LANE, Maj. General.

This was the first military organization by the Territory under Free-State party legislative domination; and, therefore, the first action of that party under the forms of law. This action was taken under a law passed at an extra session of the legislature December 17, 1857; but the Pro-Slavery party pronounced that act contrary to the act of Congress organizing Kansas Territory, though it is an absolute and indisputable fact that no judicial decision was ever handed down on that question. It is a noticeable fact, however, that when Lane wheeled for action, the United States troops did not come on. They were not afraid; but "discretion is the better part of valor;" and the officers were going to take no chances on the unconstitutionality of a law, because a Governor so decided it. The military and the civil authorities are each, in their sphere, subject to law; and both the army officers and Lane knew that well enough to avoid bloodshed. The writs of Judge Williams were

probably not worth the paper they were written on. Under the pre-emption law, (and we had no other law then under which land could be acquired,) the General Land Office had exclusive jurisdiction. This was a narrow escape of conflict between the people and the military authority of the United States; but it was the first appearance of such resistance, and was of an anomalous character in the fact that the Governor was assuming to put down a disturbance contrary to the express enactments of law. He became a usurper, attempting to exercise both judicial and military control.

Look at the future of these men, (Lane and his staff,) whom Denver denounced as "lawless and restless, never satisfied except when engaged in some broil or exciting trouble," whom he wanted to slay with United States soldiers: Two of them—Lane and Plumb—in the United States Senate; one of them—Phillips—distinguished in the war and in Congress; three of them—Abbott, Shore and Stratton—elected to the Kansas Legislature; two of them—Leonhardt and Whitman—captains in the Union army; Leonhardt, a Pole, brave as a lion, and Whitman, who built the first church in Lawrence, entered the army, promoted to Lieutenant-Colonel for meritorious services, retained in the army after the war, and was distinguished as among the originators of the National Cemetery system, erecting monuments to the patriotism and heroism of his comrades—a work which has made his name monumental alike as a philanthropist and a patriot; one—Dr. Gilpatrick—nominated for a

Lincoln Presidential Elector in 1860, when we expected admission to the Union, a Surgeon in the Union army, murdered while dressing the wounds of a rebel soldier.

Where are their assailants? Their leader, Geo. W. Clarke, went whither no one knoweth, "a fugitive and a vagabond on the earth," and his followers, with few exceptions, victims of Gen. Ewing's order No. 11,

Their names unknown, unhonored and unsung.

In the meantime Gov. Denver had issued a manifesto against Lane, derogatory to all his acts, stigmatizing him as "one J. H. Lane," who was assuming power without the authority of law. The tables had turned, however, and the Territorial Legislature had given to him the protection of the forms of law, and Denver became the usurper in rebellion against the laws. It mattered not whether the law was constitutional or unconstitutional, so far as his action was concerned. He was the executive, but he was not the interpreter of the constitution or the organic act, (the two having similar relations,) and his only legal and honorable recourse was to the courts, not to violence through his power by means of the army. Law was on the side of right, and legislative domination with the people.

To this assault, Lane replied as follows :

A CARD.

LAWRENCE, March 16, 1858.

Since my return from a Northern tour, my attention has been called to a Gubernatorial pronunciamento, (said by the boys to be 4,060,) dated "Lecompton, February 6th," and signed by one "J. W. Denver, Acting Governor."

By President Pierce and his myrmidons, I was denounced as a traitor

and indicted for high treason. They did not dare to test the truth of the charge by an arrest or a trial, and finally admitted my innocence and their idiocy by quashing the indictment.

By Mr. Buchanan I have been charged as a rebel, and "a military leader of most turbulent and dangerous character." That charge also has been answered.

One J. W. Denver now steps forward and charges me with making "insidious attempts to renew the difficulties and troubles," and with an intention or design of establishing a military dictatorship. By reference to the regulations and commissions of which he speaks, it will be found that "one J. H. Lane" signed them by order of the Military Board, and as President thereof. A full vindication of the action of that Board will be found in its report of this date, to which I respectfully refer the people of Kansas.

As to the charge of "turbulence," I refer to the people of Doniphan, Geary City, Wathena, Elwood, White Cloud, and St. Joseph and Oregon, Mo., who have listened to my speeches, delivered within the past three weeks, in all of which I urged the cultivation of fraternal relations and brotherly intercourse. It is deemed a sufficient answer to the charge that I desire to establish a military dictatorship, that upon four different occasions I have been invested with the chief command of the military forces of the people of Kansas, and that immediately after the emergency ceased which called them into the field, that command was voluntarily surrendered into their hands.

The command I now hold was conferred upon me by the Territorial Legislature, without solicitation on my part, by a unanimous vote of both branches. The Legislature has reserved the power to remove me at any time. The moment that the dark clouds which now obscure our horizon disappear, that moment will my command be surrendered to the people.

The acts complained of in this insolent pronunciamento were of an official character, so signed and published. Its author has chosen to make a personal matter out of these official acts. With him rests the responsibility thereof.

I am willing to submit my acts, past and future, to the judgment of the people, confident as I am that they will never accuse me, as

they do justly charge one J. W. Denver, with having, in violation of an official oath and public duty, endeavored to throw obstacles in the way of laws deemed necessary for the protection of the rights of the citizens of Kansas; and that they will never say of me, as they do truthfully say of one J. W. Denver, that, by a miserable pretext, discreditable to any man—the excuse of a sluggard and the crime of a soldier, to wit: that he slept when on duty, he is endeavoring to prevent the settlement of the Kansas imbroglio by defeating the constitutional convention movement.

They will never accuse me, I feel sure, of harboring the ridiculous opinion, advanced and maintained by one John W. Denver, that a co-ordinate branch of a legislative assembly can sleep when the other is in session, but will testify what I have frequently stated, that I have known the President of the United States, the highest executive officer in the Republic, to sleeplessly occupy for several successive nights the speaker's room in the capitol, in order that no law of Congress might be lost to the people for want of his prompt action.

One J. W. Denver, a mere executive officer, charged with the execution of the laws of this Territory, has arrogantly usurped and ruthlessly trampled under foot the legislative department of the government of a free people, and in violation of his official oath and duty seeks to unite in his own person, and thus control, the power of the sword and purse of the people, to crush out their liberties. Truth, justice and manhood require that the villain should be unmasked. I pronounce the charges he has preferred against me utterly untrue and calumnious, and his acts towards the people of Kansas perfidious and tyrannical, and I do arraign one J. W. Denver before the country, and denounce him as a columniator, perjurer and tyrant.

To the people of Kansas I have this to say: One J. W. Denver came to Kansas a professed duelist—his hands reeking with the untimely shed blood of his fellow man—having won from his friends the sobriquet of “butcher”—a fit appointee of the oligarchical administration, which disgraces the nation by its criminal efforts to enslave a free people! For base political purposes he has sought an excuse for a difficulty with me, and out of a public act, done in performance of my imperative duty, has fastened a personal quarrel upon me. As a per-

sonal quarrel, it is private property. You require rest and peace, and I respectfully demand that there may be no interference on the part of my friends.

He has assaulted me, not for individual action, for I have never seen him, but for official action, and as a representative elect of that great and noble party whom he and his masters have sought to enslave, and in the spirit of that party, as an humble member of it, I hurl back his allegations, and bid him and his masters defiance.

J. H. LANE.

The report of the military board referred to is signed, J. H. Lane, President; A. D. Richardson, Assistant Adjutant General; J. G. Cleveland, Samuel Jameson, Geo. S. Hillyer, Samuel Walker, Brigadier Generals; J. Fin Hill, Inspector General; Hiram Housel, Com. General; and S. B. Prentiss, Surgeon General.

We do not propose to go into an investigation of the allegations of Lane as to the homicide with which he charges him; but if Lane was mistaken in his characteristics, James Buchanan and Jefferson Davis were also mistaken in the selection of the man for their purposes. If Lane was guilty of any conduct in his official position unwarranted by the organic act, Denver had ready access to a willing court, for a writ of quo warranto, and had no excuse for infringing upon judicial powers. The President knew that he had the reputation of a fighting man, and "acknowledged the code," and selected him for those qualities. The legislature which selected Lane knew alike the caliber of their man, and the man he had to confront. It was war, not peace; and had been war from the very outset of the attempt to force acts of usurpation upon the people.

CHAPTER XIII.

THE LEAVENWORTH CONSTITUTION.

The situation in Kansas when Gov. John W. Denver was sent here was precarious to the advocates of slavery. Gen. James H. Lane had become so formidable that President Buchanan had personally denounced him as a "turbulent and dangerous military leader," in a special message. Politically dead Kansas Governors were strewn all over the country, and the Administration was advertising for some Goliath of Gath to overcome the armies of Kansas, when they discovered John W. Denver. Lane was really the only man of military renown among us, though he had already brought up quite a number of formidable pupils. Our neighbors, the Missourians, were getting acquainted with us enough to know that it was best to be polite or stay away. Seven Governors—all, all sent as messengers to plant slavery on Kansas soil—had been thwarted, and failed; and in desperation the Administration had sought a man for his firmness and his courage, a man of tried blood, of whose position there seemed no doubt as a devotee of the institution

they were attempting to establish. The people had the legislature at last. The Leecompton Constitution had been assailed by the legislature in a purpose to show that the objections to that instrument had already been submitted to a vote of the people, and overwhelmingly condemned. That legislature, however, had given up no hopeful resort, for the purpose of meeting the Administration in its opposition to the Topeka Constitution, that it originated in a mere public meeting, and lacked the elements of a non-partisan document, notwithstanding the fact that it had passed the popular branch of Congress. Devoted as the people were to that "blood-stained banner," their representatives were considering the propriety—the strategy, rather—of passing a law by the legislature, then in session, for another convention, the idea being with many to make it a mere re-enactment of that document so dear to many hearts, and a bill was soon presented to the legislature. To say that the whole power of the Administration was against it, is but asserting a fact demonstrated by the shrewd, strategic opposition of the few adherents of Pro-Slavery in the Territory, backed by Gov. Denver, who was but fulfilling his mission. His last attempt was to thwart it by what is called "pocketing the bill." To do this he decided the legal question of when the legislative session expired, retained the bill while the legislature was in session, and pertinaciously declared that it was defeated.

In an address made before the "Old Settlers Meeting," September 7, 1884, Gov. Denver said :

Well, after the constitution came around, and it turned out that it was to be submitted to a vote of the people, and the returns were to be submitted to the Governor and three others, . . . and one of the provisions of the Constitution was that there was to be "universal suffrage;" that every man, woman and child, every horse, every cow, everything that had life in it, should have the right to vote in Kansas. Well, that was only an illustration of the wildness of the times. . . . Standing here as the representative of the General Government, taking no part in any of the excitements, it was my place to look at these things calmly and weigh them properly, and act for the good of the people.

To show how "calm" Gov. Denver was, it is but necessary to quote section one of the Suffrage Article, in the Leavenworth Constitution, as follows :

ARTICLE XI.—Section 1. In all elections not otherwise provided for by this Constitution, every male citizen of the United States, of the age of twenty-one years or upwards, who shall have resided in the State six months next preceding such election, and ten days in the precinct in which he may offer to vote, and every male person of foreign birth, of the age of twenty-one years or upwards, who shall have resided in the United States one year, in this State six months, and in the precinct in which he may offer to vote ten days preceding such election, and who shall have declared his intentions to become a citizen of the United States, conformably to the laws of the United States, ten days preceding such election, shall be deemed a qualified elector.

The objections which struck most effectually against this article, were that it had not the word "white" in it, and the Pro-Slavery leaders were exceedingly bitter on that. If, however, Denver meant his "horse and cow" theory of voting as irony, it was a flat failure; if he meant it as fact, it was flatter as a statement unworthy of his character as a statesman.

But the Lecompton Constitution lacked the same word. (See Wilder's Annals, page 183.) It said "every male citizen of the United States above the age of twenty-one years," and so forth, could vote. Lines were well marked then, between slavery and freedom. The Dred Scott decision had just declared that negroes were not citizens, but "chattels." The men in the one convention recognized them as men—in the other, as things. Lane said: "A man has to be educated up to man's rights of equality." The sentiment of the two was as widely distinct as freedom is from slavery.

I have no purpose to detract from the character of Gov. Denver, nor from his ability. He was the eighth Governor who had been selected by the slave-power to subdue Kansas. Seven came and seven returned from this "Grave of Governors." He came proudly as the last resort of the hopes of an oligarchy which had ruled the nation almost from its foundation. He had a hard task to fulfill. If he succeeded in turning the tide which Lincoln had declared, in his great debate with Douglas, was to make this country "all slave or all free," he was immortalized; and nothing short of sheering the oligarchy of power could have kept him out of the Presidency.

The great controversy of right and wrong came on the question of his "pocketing" the bill for a constitutional convention—the one under which was framed what was called the Leavenworth Constitution.

On the 12th day of January, 1858, "Mr. [John] Speer introduced Bill No. 41, entitled 'An act to provide for

the election of Delegates to a Convention to frame a State Constitution.' " There had been two years of persevering adherence to the Topeka Constitution. The people had rallied to it as to an ark of safety. They had resolved, and even sworn, to support it, and many lives had been sacrificed to sustain it; and they were loathe to give it up. Still, tired of a state of war, the opposition in the East declaring that its informality was the special reason why it could not prevail, and that such an instrument, instead of originating in a mass meeting of the people, and a convention of delegates afterward, although adopted by a fair vote, was so informal, and so contrary to precedent as to make it indefensible: all these considerations, well weighed by its author, and approved, as he believed, by the wisest counsels, the bill was drawn and presented in the honest hope that it might restore quiet, and produce alike peace and success. It would have done all this, had this been a question alone for the people to be governed by. The slave-power had forced the Dred Scott decision, which practically made slavery national, and one of its champions had defiantly declared that he would yet "call the roll of his slaves under Bunker Hill Monument." This bill, therefore, brought out all the opposition of the National Administration, and every artifice was adroitly used to delay its passage in the House and in the Council. The bill finally passed both houses, and was deposited with Mr. Walsh, the Governor's private secretary, at the Governor's table, ten minutes before eleven o'clock on the ninth day of

March, 1858, which was three full days of twenty-four hours and one hour and ten minutes over three days before the forty days' limit of a legislative session by the organic act of Congress had expired. The legislature, however, remained in session one day longer. Whether that was legal is immaterial. The organic act provided that a bill held by the Governor for more than three days, unless the legislature adjourned before such three days had expired, should become a law without his signature; and Gov. Denver held that the legal life of the legislature expired in less than three days after he received the bill, and held it; and that thus it failed of passage.

On the contrary, Mr. Whiting, a clerk of the House in which the bill originated, made a sworn statement to the facts which I have stated, and such sworn statement was ordered entered upon the journal, and on motion of Mr. Speer, a resolution was passed declaring that the bill had passed, and was in the possession of the Governor more than three days before the legal expiration of the session, and directing that the President of the Council and Speaker of the House be empowered to certify such fact upon the bill, instructing the Superintendent of Public Printing to publish it with the laws of that session, and declaring that it was a law of Kansas Territory. The journal of the House of Representatives shows this fact.

On the 20th of March following, Gov. Denver published an article in the Herald of Freedom, in which he

denied the passage of the bill before the expiration of forty days, and said :

Being quite unwell that evening, I told Mr. Walsh, my private secretary, to give information of that fact, and that it was my intention to retire. Shortly after he left the room, the House adjourned, and and after his return, I retired, leaving him and Mr. R. S. Stevens engaged in writing in my room. They were the only persons who had been there for two or three hours before. This was after 11 o'clock, and if Mr. Whiting was there, it was after that time, and after the House had adjourned for the night.

This was an article of some length, but the quotation gives the gist of it.

To this I replied in an article in the Lawrence Republican of February 25th, saying : " It may be a query how the Governor knew who was in his room for three hours, and also that the House [more than a block away] had adjourned during the same period ; and it strikes me that sensible men will come to the conclusion that the ' rumor ' was concerning the adjournment, and that the sworn statement of Mr. Whiting, which is a matter of record, is worthy of at least as much credit as the Governor's OPINION, especially if he was sick and asleep. Mr. Whiting's statement is corroborated by Caleb S. Pratt, enrolling clerk of the Council, who was at the door of the executive chamber with other bills." Mr. Whiting also says : " Perry Fuller, Esq., of Centropolis, Franklin county, went with me when I went from the House, and was by when I knocked at the door. Mr. Walsh, private secretary to Gov. Denver, came to the door, and I offered the convention bill with the others to him. He said the

Governor had retired, and he could not receive any more bills that evening. I looked at my watch, which I had set by Gov. Denver's, and found that it was exactly ten minutes to eleven o'clock. Mr. Pratt also looked at his watch, and it was eleven o'clock precisely." . . .

This ought to be sufficient wide-awake testimony to overcome the opinion of a sick man asleep. The fact was, that these active men had all their senses awakened in the idea that that bill might be "pocketed." They knew that every strategy known to the enemies of freedom would be exhausted to defeat it. I had prepared the bill, watched it at every turn, with intense interest, put it personally in the hands of Whiting, and saw him start for the door of the Governor's office before eleven o'clock.

The next day, I went to the Governor's room on other business, and he said to me: "Mr. Speer, I have heard that you said I was avoiding bills to prevent their passage." I quickly replied: "I said no such thing. On the contrary, I said precisely, that I had no reason to believe you would do so, but Gen. Jackson had 'pocketed' a bill, and I would give no man the opportunity with a bill of mine, if I could help it. He replied: "I am glad to hear it."

Gov. Denver was invited to be present at the Old Settlers' Meeting, in Bismarck Grove, near Lawrence, in September, 1884, and delivered an address. In that address, he said, in reference to this bill:

Well, I concluded I would not approve that bill for calling a convention to frame a new constitution. Several committees were ap-

pointed by the legislature to call upon me, begging me, if I would not approve it, to return it to them, that they might act upon it. I told them no, that I had made up my mind, and I was not to be moved—that I thought we had constitutions enough, and that I had an absolute veto in that case, and that I proposed to exercise it, which I did.

The next night, after twelve o'clock, a bill was brought to me, purporting to be a bill calling a convention for a new constitution, and endorsed on it that it had been returned by the Governor, and passed by a two-thirds vote, notwithstanding these objections. That was signed by the four officers, the presiding officers of each house, the secretary of the council, and the clerk of the assembly. I immediately sent for them, and told them, that while that act of theirs, if I was disposed to act upon it, gave me power to do something to their disadvantage, I did not desire to do it, because I did not want any trouble or disturbance in the Territory; that that was all wrong on their part; that they certified to that which was not true; that that paper had never been before the Governor; that the bill sent to him had never been out of his possession, and consequently the whole statement was false.

Mr. Currier had the bill in his hands. He asked what I wanted them to do. I told them I wished them to do one of two things: To give me a certificate of the fact that that had never been acted upon by the legislature at all, or else to destroy it there in my presence. They said that that would be pretty rough. Currier said that he would not put his name to any such paper as that; and said he: "What shall we do with it?" Deitzler said: "Destroy it?" He said: "All right;" and tore it up, and stuck it in the stove. That was the last of that bill.

Now, a resolution passed after the term had closed, after twelve o'clock, and the legal term of the legislature had absolutely closed—a resolution was passed, declaring that that bill had been properly passed by the legislature, and they resolved that they would go on and hold the convention. Notwithstanding all that had occurred, and the failure of the bill to become a law, they decided to hold the convention.

I can know nothing about what Messrs. Deitzler and

Currier may have said to Gov. Denver: Their actions in the House I do know. The former presided over the House all the next day, and participated in and signed the proceedings as Speaker; and the latter acted as clerk, and made and signed them; and when Mr. Walsh, the Governor's private secretary, sent a message to the House, stating that the members must appear and sign the pay-roll, and get their pay, or he would leave for Lecompton, the Speaker, sitting in his chair, very coolly remarked, "The gentleman has my permission to leave at his earliest convenience."

It will read strange to those who knew that hero of Wilson's Creek, Gen. Deitzler, and have seen him tried so often, that he quailed before the majesty of the President's representative, when he accused him of forgery and falsehood, and threatened to "do something to his disadvantage." It is not mentioned whether he was to be burnt at the stake as other "abolitionists" had been burned, or merely imprisoned as he had been for several months, when he had done no wrong. To all Deitzler's acquaintances this will seem akin to the Governor's story about horse-and-cow voting on page 177.

The Governor says he tells this story as "an illustration of the wildness of the times;" and we repeat it as an illustration of the forgetfulness of a wild-eyed Governor in Border-Ruffian days. To think of all these men coming to the Governor for forgiveness, Deitzler tremulously saying, "Destroy it!" and Cyrus F. Currier acquiescing, turning pale, casting the bill in the flames!

The plain truth is, that the House remained in session all night and into the next day, as Congress often does, and the House journal before me shows no later date than March 12, 1858, which the Governor claims was the last day of the session ; and this I state as a member who sat in the House very wide-awake.

We say in the interest of truthful history, that, in that Constitutional Convention, instead of being composed of wild, impracticable men, there were twenty members of more ability as statesmen than the Governor himself ; and we compliment him in making the number so small, and apologize to the surviving members of the convention for not making it larger.

We are surprised when we look at the list of patriots who signed that Constitution, (see Wilder's *Annals*, page 230,) and we are filled with emotions of admiration when we read their work as a State Paper.

We venture to name a few of the members : James H. Lane, President, resigning to gratify his ambitious young friend, Martin F. Conway, who succeeded him ; F. G. Adams, Wm. Spriggs, Wm. R. Griffith, P. B. Plumb, A. Danford, J. R. Swallow, T. Dwight Thacher, Robert B. Mitchell, Gustavus A. Colton, Henry J. Adams, W. W. Ross, Thomas Ewing, Jr., James S. Emery, T. N. Blake, Isaac T. Goodnow ; and to avoid seeming invidious, we quote only the names of those whom we can remember as holding official positions, State or National.

And Hon. T. Dwight Thacher has written a history of

that convention, which will be read with admiration in the progressive ages of enlightened civilization.

Here is the last declaration of that stigmatized House of Representatives after they got over the scare given them by the brave and distinguished Governor :

Mr. Hanna [afterwards a distinguished member of Congress from Indiana] offered the following concurrent resolution, which was adopted, and Council notified :

Resolved by the House of Representatives, (the Council concurring,) That we do hereby, for the LAST TIME, solemnly protest against the admission of Kansas into the Union under the Lecompton Constitution.

That we hurl back with scorn the libelous charge contained in the President's message accompanying the Lecompton Constitution to Congress, to the effect that the freemen of Kansas are a "lawless people."

That, relying upon the justice of our cause, we do hereby, in behalf of the people we represent, solemnly pledge to each other, to our friends in Congress and in the States, our lives, our fortunes and sacred honor, to resist the Lecompton Constitution and government by force of arms, if necessary.

That, in this perilous hour of our history, we appeal to the civilized world for the rectitude of our position, and call upon the friends of freedom everywhere to array themselves against this last act of oppression in the Kansas drama.

Resolved, That the Governor be requested to immediately transmit certified copies of these resolutions to the President of the United States, Speaker of the House of Representatives, and President of the Senate, and to our Delegate in Congress, and that the same be presented to the Congress of the United States.

These resolutions were passed unanimously.

CHAPTER XIV.

THE HOMICIDE OF GAIUS JENKINS.

It is painful to write unfavorably of the dead, whom we have always respected and esteemed. Gaius Jenkins has been dead for thirty-eight years, and Lane thirty years. Mr. Jenkins' acquaintance I made on the 17th of May, 1855. I had seen him before, and perhaps spoken to him. He kept the American House at Kansas City, I think, when I arrived in the country, September 26, 1854; and I stopped at that hotel then, and several times during the ensuing winter, and remember seeing him.

But at the first date, (May 17, 1855,) I was a passenger with him on the Emma Harmon steamboat from Kansas City to Lawrence. It was the first steamboat that ascended the Kansas river after white settlement—the Excel had made several trips to Fort Riley with government material for building and supplies for soldiers in 1853—and as the whole trip was through an Indian reserve, the navigation new, the channel entirely unknown, and the crew had to cut their own wood, it was necessarily a tedious one; and I happened to fall into

conversation a good deal with him and formed a good opinion of him; and the second day, when it was proposed to hold a meeting to compliment the officers of the boat, on my motion he was made president, and ever after we were friends. He was good-hearted, generous and hospitable, but a man of irascible temper, and given to indulgence in strong drink, and when under the influence of liquor, quite passionate. But between him and me, the links of friendship and neighborly kindness were never broken

When we were a few miles below Lawrence, on the boat, he told me he had a claim adjoining the town of Lawrence, and that he had a man named Edward Chapman on it. I had known Chapman from September 29, 1854, when he came there, and had slept in his cabin a night or two, and got meals at his place, before he got any occupancy or started any improvement on the place afterwards disputed. I told Mr. Jenkins that Chapman claimed to own it and sold a portion of it to the town company.

I was on the committee to settle what were called the outside difficulties, a dispute as to town lines, involving this claim. He replied that he had heard something of the matter, and spoke very bitterly of Chapman's treachery. Shortly afterwards, Mr. Jenkins attempted to build within the portion which Chapman had sold to the town company, and a number of the people of the town company turned out to drive him off, and he did remove his number outside of the lines claimed by that company.

I have no doubt Jenkins' representations that he furnished the money to make the improvements were true ; but I had been there a few days, secured a membership in the town company, returned to Ohio on business, and got back to Lawrence on December 7, 1855, remained there till April, and returned with my family in company with Gaius Jenkins, arriving at Lawrence May 18, 1855, and never heard of anybody laying claim to it but Chapman, until Jenkins told me on the boat the day before our arrival, although I had been on the committee to adjust rights.

The next day I called on Chapman, saw a double-log house on his claim which he told me belonged to Col. Lane, to whom he said he had sold a part of his possessions.

It seems to me impossible that Lane could have had any knowledge of any dispute about the claim. He was an entire stranger ; and for Chapman to have told him, would have depreciated the property, if not prevented the sale.

In this book, I cast to the wind as chaff all merely personal matters ; but the character of a man on so grave a charge as murder, is too precious to avoid a full, clear, honest statement of facts. There never was so assiduous and malicious an attempt to blast a man's character as in this disastrous transaction. His enemies have published, time after time, statements to blast his reputation that have no foundation in truth.

One of the statements published in 1884 was made by

Mr. James Blood. We republish it, because it was relied upon by Lane's opponents, though we cannot see its relation to the case :

The claim was located by Gaius Jenkins in the fall of 1854, in my presence. The first log house was built by Jenkins, he furnishing all the means and material and paying Chapman in full for all the work done on it by him. Stilman Andrews, with others, dug the well at the first log house built as above stated, and was paid for it by Jenkins. The frame house was put up on the claim by Jenkins in September or October, 1855. Jenkins had a well dug by the frame house in the fall of 1855, sixty-odd feet deep, and found no water. Aaron Perry and Samuel Fry dug this well. The double-log house was bought by Jenkins of Lane about the last of December, 1855, according to the statement of both Jenkins and Lane to me at that time.

The statement of Mr. Blood is a fair one from his standpoint, but it makes no case of settlement, and a case no stronger than that would be ruled out on demurrer. A pre-emption can only be acquired by actual personal settlement, and an attempt to hold a pre-emption by proxy is fraudulent. Chapman claimed it, and sold it to the Lawrence association, (the town company,) or a part of it, and then sold his right to Lane, without Lane having any knowledge of a previous sale ; but a man by the name of Oliver was ahead of both by actual settlement, and Lane bought his rights. It is not denied that Lane contracted a sale to Jenkins, but only a portion of the money was paid ; Jenkins refused to pay the balance ; Lane tendered him back in gold what he had paid, and peaceable possession was never given.

This writer came to Lawrence September 27, 1854, and Mr Blood had previously left the country for Wisconsin,

and remained till May, 1855, and then found Lane on the place. The alleged proxy settlement of Chapman was made in the fall of 1854, after I came to Lawrence.

This I know personally: The second day after I arrived at Lawrence, my first search was for land, and I looked all over the tract afterwards in dispute, and saw nothing on it indicating settlement for pre-emption, and had not Edward Chapman claimed to me that he had marked it for a home, I should have saved all this trouble by a bona fide settlement.

Here is another statement from Mr. Blood, published in newspapers and circulated, which is absolutely as strong testimony for Lane as was presented:

KANSAS TERRITORY, }
DOUGLAS COUNTY. } ss

Personally appeared before me, the undersigned, James Blood, who deposes and says:

Sometime during the month of September, A. D. 1854, I came to Lawrence, from Kansas City, Missouri, in company with Mr. Gaius Jenkins. We camped one night near the California road, on the hill south of Lawrence. Mr. Jenkins told me at that time, that he came here to Lawrence to commence improvements upon a claim near this place with the intention of pre-empting the same. Sometime the next day, I saw him at work near the place, and on the same quarter-section where he now resides. Subsequently, in the fall of 1855, I believe in the month of September or October, Mr. Jenkins requested me to come over and assist him in erecting a house. I went over and found him at work with several men. A few days later, I was there, and found him with his family in said house. I have been there frequently since, and know that they have continued to reside there, and reside there at this time.

J. BLOOD.

Subscribed and sworn to before me, this 12th of October, 1857, at Lawrence, K. T.

E. D. LADD, Notary Public.

Col. Blood was an honest man—warm in his friendships, bitter in his animosities. If there was one trait in his character more marked than all others, it was his prejudice against Lane; and next to that, largely growing out of it, was his friendship for Jenkins. It was all of a year, as this witness shows, from the time he states that Jenkins showed him the claim, and he saw him do some work on it, that he saw him personally make the first pretense of improvement under the pre-emption law, and it was still later before his family moved on or he made any semblance of settlement. If Col. Blood could have conscientiously named a single day that he saw Jenkins residing on the place, or eating a single meal there, he would gladly have stated it. After Jenkins' first pretended settlement, if he remained absent more than thirty days, he forfeited his rights and any man could have legally jumped it. That is the law. Mark the difference between Col. Blood's "statement" and his affidavit—the latter, plain facts within his own knowledge; the former, hearsay, about what Andrews, Chapman, Fry and Perry did.

I have a musty old paper of the times, giving a long list of the settlers, with dates of settlement, section, township and range, thus:

NAME.	DATE OF SETTLEMENT		S.	T.	R.
Gaius Jenkins,	April 30, 1854.	n e	36	12	19
John Speer,	Sept. 26, 1855.	e $\frac{1}{2}$ n e	31	12	20

Mine is correct, and no dispute as to date of any of the others. If Jenkins' date is correct, he was a trespasser on Indian land before the title was extinguished, and

had no legal rights thereby, evidently having come into the Territory when so many people came from Missouri to mark homesteads and protect them in defiance of the rights of the Indians. This question was decided in the long-contested case of Purinton vs. Smith.

The following letters have been published and republished, in various sources, and quoted as testimony against Lane :

MONTGOMERY, PA., Feb. 18, 1884.

S. C. RUSSELL, ESQ.—

DEAR SIR: I remember you very well as the attorney of Jenkins—the victim of Lane's murderous villainy—in the case of Jenkins vs. Lane, before the local land office at Lecompton.

I acted as clerk for the greater part of the time, and perhaps the whole of it, after the case was re-opened in the taking of the testimony in the case. I do not know what became of the book of testimony in this case, unless General Brindle knows something of it. It was probably destroyed as waste lumber, or perhaps turned over to General Brindle's successor.

Soon after the taking of the testimony was finished, Lane seems to have thought his case a hopeless, or at least a doubtful one, as he requested me to be at my office on a certain evening alone, and to have the book of testimony with me, as he wished to look over it. Lane came to my office after I had waited up till near midnight, and was disappointed and disgusted when he found I had not the book with me. The case was decided most unequivocally in favor of Jenkins by the land office. Soon after the local office acted on the case, Lane requested another interview, which I granted, and though the talk lasted nearly all night, I can sum it all up by saying that the whole object of it was to induce me to show General Brindle good and sufficient reasons for changing his decision in this case before it was sent to the General Land Office. Lane's first inducement was an offer to guarantee to Brindle and myself twenty, and afterwards forty acres of the disputed land. After finally convincing Lane that it would be

a dangerous experiment to intimate anything of the kind to General Brindle, he left.

I did not mention the matter to General Brindle then, and indeed I am not sure that I ever have since. There are two prominent gentlemen now living in Kansas, one a prominent ex-county office-holder at Topeka, and the other in the banking business at Emporia, who, I have no doubt, will remember this last interview, as, at my request, they were within willing distance, they being at the time at the place of business of the former gentleman one or two doors above my office.

Your well-wisher and friend,

HENRY W. PETRIKEN.

But here is another statement which may look plausible to those who never investigated this homicide.

HON. CHARLES ROBINSON.—

MY DEAR SIR: In answer to your question as to whether or not the land office at Lecompton had decided in the land case between Jenkins and Lane at the time of Jenkins' death, and as to my knowledge of the case itself, will say: That the case had been settled by the Register and Receiver of the Pawnee Land District, then located at Lecompton, in favor of Gaius Jenkins and adverse to James H. Lane. This decision had been given several weeks before the shooting of Jenkins. Lane was apprised of this decision by the Register and Receiver and by his attorney in the case, Wilson Shannon. I took all the evidence in the case, was and am familiar with the facts in the litigation. The Secretary of the Interior had also confirmed the decision of the land office at Lecompton. All of these facts were in the possession of Lane at the time of and before the killing of Jenkins.

After Lane was elected United States Senator, he had the case reopened, and the Secretary of the Interior reversed the decision of the land office and of the former Secretary of the Interior.

Jan. 8, 1884.

Respectfully,

ELY MOORE.

We might mildly suggest to Mr. Petriken that, for the truth of history, he ought to have stated the name of the Topeka ex-office-holder out of a thousand or two of that

ilk, who was up stairs, or up the hill waiting; and it might lead to truth, if he would state what kind of banking the Emporia financier is engaged in, whether National banking, State banking, or faro banking.

Mr. Petriken discovered that Lane was either a fool or a chump! No man who ever knew anything of Lane would believe, that if he had had even a shrewd scheme in politics to propose to that young man, he would not have drawn his chair close up to him, straddled his knees, and getting within eighteen inches of his eyes, pointed his long, bony finger at him, and whispered, "Young man, this is strictly confidential," and you would not have heard him two yards away.

We would like to witness a caucus of these three wise-acres and have them explain why they neither took Lane up, and got their share of that claim; nor came out and exposed the rascality, and saved that widow and her family that valuable property. If we recollect aright, if it was Buchanan's administration, an honest man was at the head of the General Land Office; and yet they did not even tell General Brindle, but "nursed their wrath to keep it warm" for more than a quarter of a century, when that young man's virtuous bosom heaved, and broke forth like a volcano!

Thus far, we have given the accusations against Lane by his most positive enemies—statements which have been extensively published in newspapers a dozen years ago. Their only purpose could be to show that Lane was a lawless man, holding the home of his neighbor by

force, after the highest tribunal of the land had decided against him, and from whose decision there could be no appeal.

Fortunately this Government keeps records ; and they come out as bright to-day as when they were put in the vaults forty years ago. We have before us the official statements of the Commissioners of the General Land Office under three administrations, all corroborating the fact that no decision was ever made by the Lecompton land office, or any other tribunal, until after Jenkins had been dead for more than four months.

In search of the exact truth, we addressed Hon. W. S. Lamereux, the present Commissioner, asking him to give us the "date of first decision of local land office at Lecompton, trial de novo, if any occurred, or review or rehearing, if any ; and dates of all such hearings and decisions before the Secretary of the Interior, whether original or on review—in short, all essential facts which could possibly be of interest historically ;" and we present in juxtaposition the statement of our own fellow-citizen, of Topeka, Commissioner McFarland, under President Arthur's administration, and that of Judge Lamereux, Commissioner under the present Cleveland administration, with the remark that the statement of the present Commissioner is the more complete because more information was asked for, and there could be no disagreement, when information was asked from men who knew the truth and wanted to tell it. The facts here presented are a clear, indisputable refutation of all such charges :

UNDER ARTHUR.

DEPARTMENT OF THE INTERIOR, }
 GENERAL LAND OFFICE, }
 WASHINGTON, D. C., Feb. 2, 1884. }

J. H. SHIMMONS, Esq., Lawrence, Kansas.

Your letter of the 28th, in which you request to be furnished a copy of the contract between Lane and Jenkins and a copy of Col. Blood's evidence to be found in the papers on file in this office in the case of Jenkins vs. Lane, Lecompton, K.T.—also with the dates of the several decisions in said case, and in whose favor they were made, has been referred to this office for answer, and in reply inclose herewith a copy of the affidavit of Blood, and would state that the contract referred to is not with the papers in said case, nor can they be found in the files of this office.

With regard to the decisions in said case, our records show that there were three: first by the Register and Receiver under date of October 6, 1858, awarding the land in contest (N. E. sec. 36, T. 12, R. 19 E.) to Jenkins. The second by my predecessor under date of July 20, 1861, reversing the decision of the local officers, and awarding the S. E. $\frac{1}{4}$, S. W. $\frac{1}{4}$ and N. W. $\frac{1}{4}$ of the said N. E. $\frac{1}{4}$ to Lane, which decision on appeal to the Honorable Secretary of the Interior was affirmed by him December 31, 1861.

Very respectfully,

N. C. McFARLAND,
 Commissioner.

UNDER CLEVELAND.

DEPARTMENT OF THE INTERIOR, }
 GENERAL LAND OFFICE, }
 WASHINGTON, D. C., Oct. 10, 1894. }

MR. JOHN SPEER, Lawrence, Kan.

SIR: I am in receipt of your letter of no date, [should read: Lawrence, Ks., Sept. 20, 1894,] endorsed by Hon. W. A. Harris, asking for dates of all decisions and other information relative to the contest case of Gaius Jenkins vs. J. H. Lane, involving the N. E. $\frac{1}{4}$ of section 36, T. 12 S., R. 19 E., Lecompton, Kansas, land district.

In reply, I have to state, that an examination of the records in the case in this office, shows that on October 19, 1857, the Register and Receiver of the United States land office at Lecompton, Kansas, made a report in which they stated their "inability to render a decision" in the matter and transmitted to this office all papers in the case for its examination and final decision.

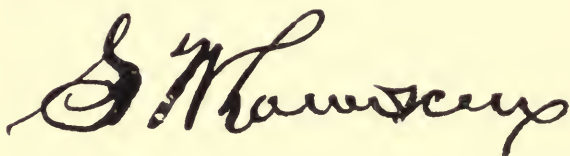
December 16, 1857, the local officers were directed to take additional testimony, and render an opinion.

September 12, 1858, the Register rendered a decision in favor of Jenkins, in which opinion the Receiver refused to concur, deeming the additional testimony insufficient. Subsequently, however, on October 6, 1858, the Receiver concurred with the Register, in awarding the land to Jenkins.

Afterwards, by decision of this office of July 20, 1861, their decision

was reversed, and the right of entry given to Lane. An appeal was taken from this decision to the Honorable Secretary of the Interior, and decisions were rendered by him dated December 31, 1861, December 27, 1862, and February 21, 1863, approving the decision of this office and awarding the land to Lane.

atent for a portion of the tract S. $\frac{1}{2}$ and N. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$, issued March 15, 1862. Patent for the remaining portion N. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$, issued February 23, 1863. Very Respectfully,

A large, stylized handwritten signature in dark ink, appearing to read 'S. H. Lawrence'. The signature is written in a cursive style with a large, looping 'S' and a prominent 'L'.

Commissioner.

There had been such a perfidious determination to falsify all the records of the land offices, local and general, in this unfortunate homicide, that I requested Judge Lamereux to give me the statement in his own handwriting, instead of, as is usual, over the signature of a clerk, which request he has kindly complied with; and I am, therefore enabled to present this refutation of falsehood in fac simile over the broad, emphatic signature of the present Commissioner himself; and the records, instead of being destroyed as "waste lumber," stand there as bright as they did forty years ago.

The reason for the different dates of the decisions on different sub-divisions of the quarter-section is accounted for in the fact that they embraced portions of the city of Lawrence, heretofore referred to as contracted by Chapman, and notices had to be given and the rights of occupants considered.

But here comes a waif, with no date and no address, which, to my knowledge, has floated upon the waters of falsehood for several years :

We had decided that Jenkins was entitled to his claim before he was killed ; at the time of his death, we were hearing the case again. It had been sent back to enable Lane to put in additional testimony, which we received, but which did not show him to have been the prior settler.

WILLIAM BRINDLE.

This is supposed to be, and is quoted as, a statement from Receiver Brindle, who, we have seen, could not agree with the Register, when he made up his tardy mind in favor of Jenkins more than three months after he was dead, as shown by Judge Lamereux's statement, and all other statements. This quotation is probably a forgery. Jenkins was killed June 3, 1858 ; Register Moore took more than three months to consider, and decided for Jenkins September 12, 1858 ; Receiver Brindle disagreed, but got his conscience to consent October 6, 1858, and the first decision was made October 6, 1858, more than four months after Jenkins was dead. No other decision was made under Buchanan's administration, though it did not expire for two years and five months. Hon. Thomas A. Hendricks was Commissioner of the General Land Office, an honest man, but a bitter opponent of Lane. Does any body suppose, if there had been a good case against Lane, that eminent lawyer and statesman's heart could not have been touched with sympathy for the widow and orphans of Gaius Jenkins, and justice been hastened, instead of delayed ? Hon. Joseph Wilson, who succeeded Mr. Hendricks under Buchanan,

and remained in the office during all of Lincoln's administration, decided the case in favor of Lane, as Thomas A. Hendricks would have done had he reached it. No just lawyer could have decided it otherwise.

This was a perplexing case to the local officers. The Pro-Slavery mob that invaded and ruled Kansas dictated decisions and overruled justice. If the land officers had decided that case in favor of Lane at a certain stage of its proceedings, their official heads would have gone off in a jiffy, and they would have been compelled to seek personal safety in an escape from Leecompton. The bitter antagonisms of Pro-Slavery hate would have tolerated no such decision.

Mr. John H. Shimmons, the partner of Lane, for two terms postmaster of Lawrence, and intimate with the facts, gives us this statement :

The case summed up stands thus: During the summer of 1854, Dr. Lykins, of Kansas City, Missouri, selected the claim, and employed David Hopper to set up four posts six feet high, and to nail scantling from post to post, to notify people that he had selected that claim. Afterwards he became acquainted with Chapman, who was engaged as hostler for Gaius Jenkins, proprietor of the American House, in Kansas City. Chapman had no money to improve the claim or to build a house to live in during the winter. It was then agreed between Jenkins and Chapman, that Jenkins would furnish the money, and he and Chapman should each own one-half. In March, 1855, Chapman sold to the Lawrence town company his right and title to said claim for the sum of \$2,500, parts in lots, cash and promissory notes. Chapman settled with Jenkins for his half of the claim by giving him his personal note for \$1,250, Jenkins accepting said note in full payment of his interest. Chapman then made a new settlement south of the claim he had sold to the town company. This new set-

tlement he sold to Lane in April, 1855, for \$600. Lane built a house on the claim and fenced and broke ten acres of land, and planted it in corn. During the summer of 1855, Jenkins and Chapman quarreled over the non-payment of the note given by Chapman to Jenkins. Jenkins then advertised that he would contest the claim with the town company, as Chapman was a "jumper." Chapman, in August, 1855, advertised that he had not received any consideration for said note, and would not pay it. In September or October, 1855, Jenkins undertook to build a house on the original claim. Chapman and the town company tore down the frame, and threw the lumber off the land claimed. Then he made a purchase of one-half of Lane's claim for the sum of \$800, payable in cash and notes, and a small account against J. H. Shimmons. Each one was to have half, and each one to pay half of pre-emption money. If Lane should die, Jenkins should pre-empt, and give one-half to James H. Lane, jr. If Jenkins should die, Lane would pre-empt, and give half to Mrs. Jenkins. Lane then permitted Jenkins to build his house on his (Lane's) claim. When the section lines were run, both of their houses were on the same quarter-section. Jenkins then refused to pay the note which he had given Lane, unless Lane would abandon all to Jenkins, which Lane refused to do. Then commenced the fight on Lane. Upon the advice of Governor Shannon, Lane's counsel, Lane offered to divide with Jenkins. Jenkins refused to take half. All the right Jenkins ever had in the said claim he relinquished when he accepted the \$1,250 note from Chapman, thereby recognizing the sale of Chapman to the town company. All the equity Jenkins had against Lane was under the contract with Lane. When he refused to pay the consideration mentioned in the contract, he forfeited all his rights under that contract.

Perhaps no better statement of facts in brevity could be made than this. It may elucidate the situation to state that this contest was under the original pre-emption law of September 4, 1841. It was on unsurveyed lands of what was known as the Shawnee Purchase, by treaty

with that tribe of Indians, and the right to settle before survey, which led to many contentions.

The following is the advertisement referred to by Mr. Shimmons, which we copy from the *Kansas Tribune* of September 15, 1855 :

NOTICE IS HEREBY GIVEN TO E. CHAPMAN, of the town of Lawrence, K. T., that the farm claim, which I laid near the said town, and which he has jumped and pretended to sell to one John P. Wood, I shall pre-empt and hold, as I have been forcibly ejected therefrom by threats and demonstrations of violence. Said Chapman has not a particle of right thereto, and I shall prove my title beyond dispute. All persons, therefore, are hereby warned not to purchase lots or city interests of said Chapman or Wood, located upon said claim, as they have no right to sell the same. And, as I am in favor of the movement now being made by the Outsiders to break up the settlement of March last, I shall transfer said claim to them, if I deem best.

G. JENKINS.

LAWRENCE, Aug. 29, 1855.

This advertisement is clearly in evidence against Mr. Jenkins. He had been driven off the land by the Lawrence Association, or town company, composed principally of New England people, who believed that he was a trespasser upon their rights, as they had innocently purchased from Chapman, whom he warns the world against as a "jumper"—that is, a trespasser. But, at the same time that he asserts his own rights, he unlawfully gives notice that he will sell to the "Outsiders," if he "deems best." The "Outsiders" were principally Pro-Slavery men, who were making a fight against the city authority, to "break up the settlement of March last," thereby attempting to hold the town against what

was known as the "Robetaile Float," an Indian land warrant from the United States to Robert Robetaile, a Shawnee, his heirs and assigns. This warrant could only be laid on lands unsettled; and in order to effect that right, every settler had to waive, and did waive, his rights of settlement. To have made Jenkins' proposed contract with any party would have disqualified him for making the required oath of a pre-emptor, that he was taking the land for cultivation and improvement, for his own use and benefit, and had neither sold nor agreed to sell it.

This was at least the third attempt which Jenkins had made to speculate upon that land; while Lane had never done a single act to indicate anything but an honest purpose of settlement, and offered to divide with Jenkins, as has always been allowed under the rules of the land office in contested cases.

No inferior nor partisan court decided the Lane case. Hon. Joseph Wilson was a profound land lawyer, as honest as he was learned; was Acting Commissioner under Commissioner Hendricks during Buchanan's administration, and was retained by President Lincoln for his ability as an officer and his worth as a man. He decided the celebrated Osage Ceded Land case, involving millions of dollars to two railroad companies, and was importuned to death to reverse his decision, some of the railroad advocates reminding him he had changed his politics under Lincoln; to which he responded that "~~a~~ man would be a blamed fool who could n't change as

fast as an administration, but he would be an infernal scoundrel to change that judicial decision." The Secretary of the Interior overruled him; and under a special act of Congress, the Supreme Court of the United States sustained Wilson. He decided the Lane case.

It is easy to imagine how young men, merely growing into matured manhood, might, under the pernicious Pro-Slavery influence of Lecompton, be led to "imagine vain things"—hear falsehood so often as to cause them to think it must be truth; and on solicitation, perhaps under refreshing suggestions or reminders, be made to give currency to libels upon the silent dead; but to use such statements when the public archives plainly show their falsity, is fiendishly wicked.

Four men came armed with an ax, rifles and revolvers, to drive Lane from his home or kill him; and the case principally depended upon the wicked declarations of the assailants; and they alone would have acquitted him. Not only did these four men cut down the fence of his own dooryard, but they advanced to within a few steps of him, and fired the first shot, wounding him so severely in the knee that for several days he had to remain in his house before trial, in danger of his life by tetanus and blood-poisoning. These were the admissions of the accomplices, one of them declaring that if his gun had gone off, Lane never would have killed Jenkins, and another (Jenkins' nephew) said he meant to have killed him. The plea of going for water was a mere subterfuge; for there was a spring of clear, sparkling water,

free to all, gurgling from Mount Oread, more easily accessible to Jenkins' house than the well he sought, even if Lane's gate and well-curb had stood wide-open; and, to those who know the locality of the house, now removed, the waters of that pure well and that sparkling spring continue to give everlasting testimony to the truth of this statement; and, if undisturbed, will continue to so testify. He had gone before, seized Lane's ax from his wife, cut the well open in his absence, and sent him a defying notice that he was going to have water or a fight; and it is in testimony, that when Mrs. Lane remonstrated against such violence as ungentlemanly in her husband's absence, he insultingly told her, "You are no lady, if you say so."

It has been stated by many who have spoken upon Gen. Lane's character, that he was a favorite of the people of Indiana, but always antagonized by the politicians. This was emphatically true of him in Kansas, and hosts of them who were circumvented by him in life have outlived him to anathematize his character through the whole thirty years since his death. It is easy to say, "He killed a man who wanted to get water out of his own well;" but the man had sold the well to Chapman, and in his testimony before the John Sherman committee, April 28, 1856, swore he did not vote in Kansas in the fall of 1855, because he lived in Missouri. (Page 549.) Never was the axiom truer than in this case, that a falsehood will travel a mile while truth is getting on its boots.

In an address published in the Lawrence Republican of March 19, 1859, to the people of Kansas, Gen. Lane, in reply to accusations by the notorious Captain Hamilton, said to have been a brother of the Captain Hamilton of the Marais des Cygnes Massacre, made this statement in his own behalf, in regard to the homicide of Jenkins :

FELLOW-CITIZENS: It is known to you that I have sedulously avoided responding to assaults made upon me, either by the public press or by individuals, since my residence among you. But, while this has been my rule of action, I trust you will pardon me for calling your attention to the following resolution, purporting to have been offered by Captain Hamilton, and adopted by what is called a law-and-order public meeting of Bourbon county on the 21st of February last.

“Resolved, That Jim Lane, the murderer of Jenkins, was a fit leader for the mob in Lawrence, and the fact of his firing upon me and robbing my command was a most ridiculous act of cowardice, and but adds one more infamous page to a life of treason, stratagem and spoils.”

I do not propose to notice farther than to refer to the fact, that the meeting that adopted the above resolution was arranged by the Democratic wire-pullers before Captain Hamilton left Lawrence. But I proceed to the consideration of the resolution itself.

As to the charge first referred to, as it is sought to be used by the press in the pay of the administration, [Buchanan's] to the detriment of the Free-State party, I take occasion, for the first time, reluctantly, to submit some facts with reference to that subject, in mitigation of any judgment which those not fully conversant with the transaction may be disposed to pass upon me in connection therewith. It is true that Mr. Jenkins fell by my hand; but no one has more deeply felt or grievously mourned that misfortune than myself; but it is also true, that the fatal trigger was not drawn until the preservation of my own life and that of my family seemed to me to imperatively demand it. At the time of the occurrence, I was beset by

four armed men within a few yards of me, rushing upon me, who had with force and violence broken down my fence and entered my enclosure against my earnest entreaties. Three shots were fired by them, two of which touched my person—one passing through my garments, the other cutting my hair from my left temple; the third shot penetrated the window of my house, into the room occupied by my frightened and shrieking family; and almost simultaneously with my own shot, the fourth was made, striking me on my knee, which proved in the sequel nearly fatal to my life, and the lead of which I shall carry to my grave. During the whole attack, I desisted from firing upon my assailants until the last possible moment. The shot fired by me was bird-shot, and the only load I had of any kind on my premises, having only the day before loaned my Sharp's rifle to General McDonald.

Three times before this event, persons of the same party, and in my absence, had broken down my inclosure and entered my premises, and on the fatal morning word was sent to me that they were again coming. I replied to them in the most earnest manner, desiring them not to come. I saw them approaching, armed with an ax, Sharp's rifles and revolver. I met them at the fence, unarmed, and besought them in the kindest manner not to resort to force—saying to them, that, if they really wanted water, so long as there was a drop in the well, they should have it, provided they came into the yard through the gate, as others did. My appeals were in vain. It was not until they had broken down my inclosure and rushed into the yard, that I took the gun into my hands, and thus imperfectly armed against such odds, resisted them in open field. Having once in my life received against my person, in the front, a load of shot from a gun similar to the shot used by me in this defense, which did not pierce the cavity of my body, and did no other injury than to prostrate me, I do solemnly declare, and appeal to Almighty God for the truth of my statement, that I had no intention of killing Mr. Jenkins, when I fired upon him, and expected only to knock him down, and, at the most, wound or disable him.

Although I have never asked any one to endorse my conduct in this affair, I am compelled to inquire whether there is any one who can-

didly believes, that, surrounded by the same circumstances, he would not have acted in the same manner? In view of the fact that a board of three justices of the highest respectability and intelligence assembled at the time and place, after having spent weeks in patient investigation of the transaction, and upon their oaths found no reasonable cause existed to believe that any crime or offense against the law had been committed in the premises; and furthermore, the grand jury, composed of the most substantial men of Douglas county, patiently examined all the evidence in behalf of the Territory, and were unable therefrom to find an indictment—the case having been adjudicated—it is respectfully submitted, whether the law-and-order meeting above referred to was not entirely estopped from preferring such a charge.

In reference to the second charge preferred, the writer denies that he has ever led a mob in Lawrence or elsewhere.

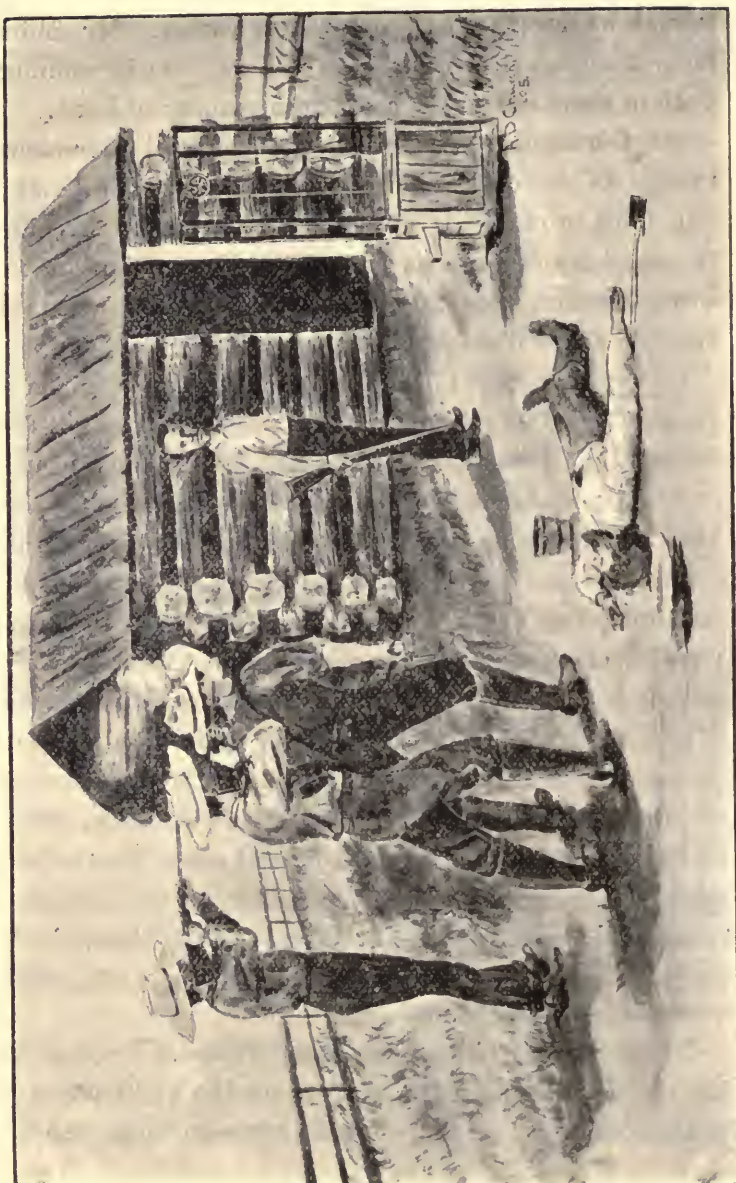
Hon. H. S. Clarke, who has been sheriff of Douglas county, regent of the State University, and the recipient of several other official positions, and a man of the best repute, informs me that during the contest, he was invited by Mr. J. H. Shimmons, one night, to go to Lane's log house and remain during the night, the reason given being that Jenkins threatened to drive Lane away by force. Shimmons told him he thought there would be no conflict, but he wanted a witness if difficulty should occur. Mr. Clarke went, and stayed till 4 o'clock in the morning; and he describes the scene as one of fearful danger. Jenkins and two or three men were in one room and Lane in another. Jenkins was violent in his abuse, and threatened several times to throw him out of the house, and made violent demonstrations towards putting his threats in force, prevented by the restraint of his friends; while Lane laid upon the floor or in a reclining position, some of the time apparently asleep,

though he does not believe he slept a wink. Mr. Shimmons describes that night scene in a very similar manner. Both of them affirm the cool, calm manner of Lane.

Mr. Clarke also says, speaking of the trial afterwards, that proof was offered going to show that, after Jenkins fell, Lane brought his gun down to a rest at his side, turning his side towards the attacking party, both hands down his side, so as to present the narrowest side-view possible to the discharges of the guns.

Perhaps the most charitable view that can be taken of Jenkins' conduct may be derived from the candid, fair testimony of Hon. James F. Legate, his personal friend, and in a partisan sense an opponent of Lane, that Jenkins was drinking heavily that day, which was corroborated by Hon. John G. Haskell, State House architect, and brother of Hon. Dudley C. Haskell, the distinguished member of Congress. There was some conflicting testimony on that point, but it was from a stand-point either of love and affection for the dead, or opposition, anxious on the one hand to shield the reputation of the beloved, or on the other to wreak vengeance upon the man by whom he had been slain. The truth is, as I see it, that he was maddened by liquor and evil counsels, and not the right-minded Gaius Jenkins at all. I, myself, saw Jenkins not ten days before his death, in a frenzied state of intoxication, threatening Lane's life.

The following letter from Hon. James Christian, to Mr. J. H. Shimmons, published for the first time, will throw some light on the situation between these men.



ARKANSAS CITY, KAN., Jan. 7, 1884.

MY DEAR FRIEND: Your letter of December 27 was received in due time; but I had not the opportunity of answering it until now. My opportunities for answering correspondents are not as good as when you first knew me. My daughter, who does my writing generally, was absent at Topeka when your letter was received, and there was another matter that I wished to hunt up before I attempted to answer your letter. I allude to an article that I published in the *Arkansas City Traveler* some five or six years ago, and my daughter was compelled to hunt over the files of the *Traveler* office [of] several years before she could find it, which, fortunately, she did, under the date of April 3, 1878. You may have seen the article; but if not, I send you an exact copy from the file in the possession of the old editor.

In reference to what you say the land office records state was my evidence, I have now no remembrance of so testifying, either in the land office or before 'Squire Ladd, at the examination of Lane for the killing of Jenkins. But I have a very distinct recollection of having often said to friends and acquaintances, when interrogated on that subject, and I think it highly probable, that, if the question was asked me upon the examination, that I so testified, because it has been a rule with me through life never to make a candid statement to any man that I am not willing to swear to, if properly called upon; but I cannot see how the records of the land office could possibly have been lumbered with that matter. The personal difficulties between Lane and Jenkins could have no possible bearing upon the question of who was entitled to the claim; and I think that 'Squire Ladd took down most of the testimony in writing at the preliminary examination of Lane, though doubtless it has been destroyed long ago, as these events occurred some twenty-six years ago.

My first personal acquaintance with Jenkins was early in the spring of 1855, when he consulted me as a lawyer with reference to his claim—or rather the Chapman claim—to which he then laid claim, giving me as a reason that Chapman was only his hired man—that he had furnished him money and materials in Kansas City, to come up into the Territory and hold the claim he (Jenkins) had selected the previous fall.

We had a long and familiar conversation on the subject, during which I told him I had no doubt that all his statements were true; but that, according to my view of the pre-emption law, a man could not hold a claim for another as he would hold a neighbor's horse by the bridle; in fact, that a man could not hold a claim by proxy. He flew into a violent passion, and swore he would have that claim at all hazards; but at this time his anathemas were all directed towards Ed. Chapman, who, he stated, had betrayed his confidence, and acted the —— scoundrel. I told him that I had no apology to offer for Chapman's conduct. He may be all he describes him to be; but that he was the first man to make a permanent settlement upon the claim, erected a dwelling thereon, and inhabited the same, as the law required. This, in my judgment, settled the hash with Mr. Jenkins. This conversation, I think, occurred before Lane came to Lawrence; at least, it was before I had seen Lane. It was while Jenkins lived in Kansas City, and had come up to see about his affairs. I have had frequent talks with Jenkins up to the time of his death. Always the most friendly relations existed between us. His first enmity against Lane was grounded on the fact that Lane had purchased a part of the Chapman claim, lying outside of the float, his (Lane's) interest becoming antagonistic to his own, and naturally fearing him and his influence as being more powerful than that of Chapman.

There were other causes that widened the breach between Lane and Jenkins. It was well known to the early settlers of Lawrence that there was sometimes a bitter feeling existing between the New England element and what was termed the Western Free-State men—the former Jenkins' friends, and the latter Lane's admirers.

Gains Jenkins was a generous, whole-souled, warm friend, but of an impulsive, violent temper, particularly when he was influenced by liquor—a habit that he frequently indulged in. Lane, you know, on the contrary, was cool and deliberate. I witnessed, on one occasion, at Lecompton, a little episode that illustrates the truth of what I say. It was one day while we were engaged taking testimony. Some one foolishly remarked, in the presence of Lane and Jenkins, that "the best way for them to settle the difficulty was to go out and fight it out." Jenkins instantly remarked, in a loud voice, that that would

suit him; that he would agree to that proposition; that if Lane would go out, the case would be decided in a few minutes. Lane instantly jumped to his feet, folded his arms across his breast, and with a most terribly bitter sneer upon his face, remarked: "Any man that would let a — nigger take him prisoner need not talk to me about fighting!" Jenkins simply remarked, his face red with passion: "The unkindest cut of all." Col. Moore, the Register of the land office, coming on the scene, in his stentorian voice, commanding "Silence!" all quieted down, and the testimony proceeded.

You all remember that, during the year 1856, while the political excitement ran at its highest, Milt McGee's negro man arrested Gaius Jenkins and another man on their way up to Kansas. This was the circumstance that Lane alluded to in the above episode.

Your own remembrance as well as others in Lawrence, is that Jenkins was influenced with liquor at the time the difficulty occurred that ended his existence. He had been drinking freely all the forenoon in company with men hostile to Lane.

I believe I have answered all the inquiries you name so far as my memory serves me at this time. I am, sir,

Very respectfully, your old friend,

JAMES CHRISTIAN.

From the Arkansas City Traveler, April 3, 1878.

A SCRAP OF HISTORY.

FRIEND SCOTT: As the Historical Society of Kansas seems desirous of scraps of the unwritten history of Kansas, to illustrate the lives and acts of its early settlers, I propose to give, through your paper, a little light on one of the saddest events that ever occurred in the early days of Kansas settlement. I mean the death of Gaius Jenkins at the hands of James H. Lane, familiarly known as Jim Lane. The circumstances of the killing; the supposed causes that led to the terrible calamity; the trial of Lane before justice Ladd, and all the facts connected with it, were published in the papers of that day. But as nearly all the principal actors in the drama are now in their graves, I propose to give a little scrap of history—a link in the chain of causes that produced that catastrophe, which came under my own observation, and of which I had personal cognizance at the time.

Those familiar with the early settlers in Lawrence will remember that, shortly after Lane settled in that place, in the spring of 1855, one of his children died, and was buried on his claim, a short distance southwest of the old log house he then lived in. Around the little grave was a neat paling fence. In the fall of that year the troubles commenced. Col. Lane was, as all will remember, absent much of the time during that winter and the following year of 1856, and his family, with the exception of little Jimmie, was then in Indiana. During the troubles, and while Lane was absent pleading the cause of the Free-State party, Jenkins, being a settler on the same claim, took forcible possession of Lane's log house, and plowed up and cultivated the land that Lane had broken up, and on which his child was buried. In 1857, on return of Lane and family, all traces of the grave were gone, having been plowed over and cultivated the previous year, and the fence removed, so that not the faintest trace of where the grave was could be found. Lane and myself spent several days hunting and digging, about where we supposed the grave was located, and both came to the conclusion that the body had been dug up, as no trace of the coffin could be found, or any part of the paling fence. When we concluded it must have been raised by some one, Lane instantly laid it to Jenkins, his enemy and claim contestant. I shall never forget the expression of his face, as, with compressed lips, he exclaimed: "Such a — ghoul is not fit to live. If I was only certain that he dug up my child out of revenge upon me, I would kill him at first sight." The tears started in his eyes; I tried to calm him by telling him we might be mistaken in the exact distance from the house—that, as the ground had been plowed over, and no mound was perceivable, the body might still be there. "Yes," said he, "but why did the — brute tear the paling away, and plow over the grave, so that it could never be found?"

This was a question that I could not answer, but had to admit it was a most beastly and inhuman act. The remembrance of that child's grave still rankled in his breast against Jenkins until the fatal encounter in 1858, when Jenkins was slain.

Gen. Lane until the day of his death believed that Jenkins dug up the child and threw it away. Whether he was guilty or not, God only

knows. But these are the facts, as I saw and heard them. Lane, with all his faults, was a loving and affectionate father, passionately fond of his children.

The circumstances of the times, the prejudices of the court, the vengeance of the slave oligarchy, the malice of disappointed ambition, were all against him. I give it as my deliberate judgment, that Jenkins, while in every way the aggressor, was not wholly to blame; but that there was a deep design, and a determination, to urge Jenkins on, until Lane was either driven out of the country or killed. On what other theory can we account for the convenient presence of Sheriff Jones and Border Ruffian Maclean immediately after the death, the former bold enough to suggest hanging, and the people so indignant as to drive them away?

After his discharge by the justices, he asked to be held for trial, so that his case might come before the Territorial court, under a Judge appointed by the President. This the justices decided they could not do; but his enemies eventually brought the case before the grand jury, and they failed to find a bill of indictment.

In publishing Captain Christian's statement, we have two remarks to make: We fully believe in the truth of his statement; but we do not allege that Mr. Jenkins perpetrated any such dastardly deed as exhuming the remains of that child. Charity will suggest to every good-feeling heart, as it did to that of Captain Christian, some other reason for the desecration of that grave. But that it was desecrated, there can be no doubt. Very re-

cently, in conversation with Gen. Lane's daughter, she spoke very feelingly and sadly about the lost grave, but no feeling of reproach or suspicion escaped her lips. It may have been the work of some brute in human form for the anatomical market. It might have been the careless deed of some hired hand, told to clear all obstacles out of the way for plowing, knowing nothing of the sacred treasures within the inclosure; or the recklessness of immigrants in camp in search of kindling for the camp fire after a hard day's drive, in the shades of evening or after nightfall. Let us hope for some other cause than brutal malignity toward the living and the dead.

On the other hand, let the sympathetic heart go out to the distressed father. What of him? Looking over a plowed field for the remains of a dead infant, and in his agony thinking of the dire antagonism of the man with whom he had quarreled and of his frequent threats to drive him from what he considered his honestly-purchased and honestly-earned home by strict and faithful compliance with the pre-emption laws in settlement and improvement, the very house from which he had carried his infant in his arms, to find it a resting place, till the doomed city of his choice should select a suitable city of the dead, such as the beautiful Oak Hill, where he at last reposes, and where all his dead save that one infant have been by loving hands tenderly laid. Let parents take this to themselves, and say what might have occurred with them under similar circumstances. If Lane and Jenkins had happened to meet then and there, and

in that frame of mind, Lane had killed him on the spot, no jury would have convicted him, but would have made it "emotional insanity" at least.

This duty to the dead is of too unpleasant a nature to pursue. I have written much on Lane in the thirty years since his death; and the following extract, in reply to an assault upon his memory, is all that I ever have said on this subject:

I think the most unjust thing ever said is this: "In fact, no blood was drawn under this hero, except when he fired ninety-three bird shot into the body of Jenkins, whose claim he had jumped." I have never allowed myself to write at all on the death of Jenkins. Two widows and their families remain, whose hearts I would fain not wound by a recital of this homicide. In saying that Lane "jumped" his claim, you accuse Gaius Jenkins of perjury. Gen. Lane settled on that claim in April, 1855. Gaius Jenkins, in his testimony before the John Sherman investigating committee, April 28, 1853, swears, under examination by Gov. Reeder, page 549: 'I left Kansas City [Mo.] on the morning of the day of the election last fall. [1855,] and started to come up to this place by Gum Springs. The election was held under the authority of the legislature for Congressional Delegate. Before leaving Kansas City, I was asked by Mr. Milton McGee to go over to Wyandotte and vote. I said I had no right to vote, as I was then a resident of Kansas City.'

This election was October 1, 1855, more than five months after Lane settled on that claim.

That oath was made according to law, and subject to all the pains and penalties of perjury under the laws of the United States; that testimony was truthful testimony; and that testimony alone, as an admission from the party interested, would have broken any pre-emption claim ever laid upon the lands of the United States.

With all this clearness of exposition, I have to apologize to the reader for the verbosity of this chapter ; and my reason is, in a determination to give everything, pro and con, that could possibly have any bearing upon this disastrous transaction, that the candid reader may sift ever kernal of truth from the mass of the chaff of falsehood, and give each their full weight and influence.

This painful duty is done, and I am willing to submit it to the sober second-thought of all intelligent readers, which is seldom wrong, and always efficient.

CHAPTER XV.

A PERIOD FRUITFUL OF IMPORTANT RESULTS.

The years 1858, 1859 and 1860 was the period that was to make statesmen. There were two legislatures to elect in 1859—the Territorial, for the last time, as was supposed, and the State for the first time, under the Wyandot Constitution; but the tardy action of Congress under Buchanan's administration prolonged the Territorial existence for another year. The State Legislature was to start the machinery of the State in motion; while the Territorial seemed destined to smash all slates and play havoc with many politicians.

Lane's modes were comparatively quiet. Depressed with the sad circumstances heretofore discussed, he had, nevertheless, not only made many friends, but his most violent enemies had made more strength for him than he had made for himself; and he seized upon all their mistakes and misdemeanors with avidity.

When the proper time came for action, the year 1859 enlisted—or, rather, re-enlisted—all his energies. A legislature was to be elected, and that legislature was to elect two United States Senators. Strange to say, he

was found to have absolutely secured a majority of both legislatures in his favor, and had a project to secure two elections—first, as an endorsement, by the Territorial Legislature, by election as United States Senator. It will be recollected that the State was not admitted into the Union until January 29, 1861; and when the Territorial Legislature met, January 7, 1861, twenty-two days before admission, there was no certainty when we would be admitted, but it was morally certain that Congress would not adjourn without our admission. He wanted the Territorial election as an “endorsement,” showing popular favor in advance of any possible action by the State. On the first day of February, that body passed a resolution in both houses “to elect two United States Senators for the State of Kansas,” notwithstanding the Territorial life had expired. But there was opposition enough to “make things lively.” The Pro-Slavery serpent was killed; but as the Irish gentleman remarked, as its tail wiggled, “it was not sensible of it,” and every possible dilatory motion was made to keep a dispatch from going abroad, that “Lane was elected.” They whooped, they howled, they screeched, they danced—and Lane’s friends laughed, and “mocked at their calamities”—while his opponents even brought into the hall a noted Pro-Slavery vocalist to sing Dixie, and he was ever after known as “Dixie Morrow.” The second day of February, they adjourned without getting a vote; but it had accomplished its purpose—demonstrated the power and popularity of the great Free-State leader, alike

in peace and in war. His plans, communicated to me, were to get this election by the Territorial Legislature in anticipation of an interregnum of a month or more between the election by that body and the meeting of the State Legislature, and in the meantime to go to Washington with the prestige of two elections to the Senate—one by the legislature under the Topeka Constitution, and the other by the Territorial Legislature—and thus equipped, to control more effectually the patronage of the National administration, or at least to prevent any appointment awaiting the election of United States Senators, who always controlled the patronage in conjunction with the member of the House. This action he had already preceded by an agreement with Hon. Martin F. Conway, our Congressman-elect, who would be in his seat on the inauguration of President Lincoln, that all Kansas appointments should await the election of our Senators. This agreement was faithfully carried out by Mr. Conway, and recognized by the President, with the exception of Hon. Archibald Williams, of Illinois, who, on the 8th of March, was appointed United States Judge, with Hon. James L. McDowell as United States Marshal, both being indispensable appointments, the Territorial judiciary expiring with that government. The appointment of Judge Williams bewildered all the politicians; but their eyes were soon opened, when it was ascertained that he was a bosom friend of Abraham Lincoln, and his appointment had no political significance to Kansas politicians. That of McDowell was no surprise to Lane,

though he had maintained rather a neutral position in the Senatorial contest. It may be stated, however, as a remarkable fact, that Lane got the information while McDowell was at Lawrence in doubt of his own success, and told me of it, with the confidential admonition, "Let him go home and find it out." Thus were all his "fences repaired," and no bars left down.

As the Legislature had been elected a year and a half before it was called to meet, there were several vacancies to be filled, all of which Lane carried; but they were hotly contested, and claimed as tests of the voice of the people.

The election in Douglas and Johnson counties was an extraordinary struggle; and not a precinct was omitted where Lane did not speak, except at Lawrence. As a "blind" he was announced for Lawrence the night before election—notifying me, however, that he would not be there, as he must speak in Lykins (now Miami) county the second night before election, and then speak throughout Linn and Bourbon the day before election, which he did, making a ride of sixty miles, and speaking four times, finishing up in Bourbon, in favor of his friend, Dr. W. W. Updegraff, who was elected over — Miller, Democrat, by a majority of 165, but the former's seat was contested to keep him out of the Speaker's chair, to which he was, nevertheless, elected on the first ballot. The failure of Lane to speak at Lawrence that night lost us many votes; but we had them to spare, and his absence was a necessity. His opponents "never

knew what hurt them" till the votes were counted. But the goal of his ambition had not been reached, and we turn back in the campaign for the Senate.

There was rarely a nominating convention where he did not appear and make a speech, and he never lacked a preamble and resolutions. He would go to a place where they were about resolved to hang him, and come back with Lane for the Senate inserted in their resolutions. After the election of members of the Legislature, he kept up his campaign just the same way. One man who called him a leper was met by him at an assembly, where he scowled at Lane as if he was ready to assault him. He inquired pleasantly about his affairs, and then arose, and suavely said: "Mr. President—I move you, if I can meet with a second, [at least a dozen men seconded the motion before they heard it,] that our distinguished fellow-citizen, Mr. J. O., be made chairman of this meeting." The motion carried with great applause in favor of his "enemy;" and then Lane handed him a list of men he thought would be suitable to prepare resolutions; and he also gave the chairman of the committee the suitable resolutions, which passed, without opposition, in favor of Lane for Senator. It was no trick at all for him to go to a convention where there was a member-elect whom his opponents placed in the anti-Lane column, and come back with a report like this: "Hon. P. M. Alexander was elected president, and after some appropriate remarks by the chair, the following resolution was unanimously passed:

Resolved, That we have great confidence in the ability, integrity and patriotism of Gen. James H. Lane, and earnestly recommend his election to the United States Senate.

This is the identical resolution offered by a member from Douglas county who had up to that very day been denouncing him as unworthy of confidence; but after hearing his speech, became his warmest friend.

That was perhaps the most earnest campaign ever "fought over" in Kansas. I bought a newspaper for the campaign for \$3,500. Neither Lane nor I had a dollar; but I told him I must have \$500 to pay the hands, to keep them from striking before the Senatorial election. He went to Leavenworth to raise it; and the late Judge Delahay told me how he got it, thus: "Christmas night, at 12 o'clock, a rap was at my door. I put out my head, and the wind blew so hard and the snow flew so thick I could see nothing. 'Who's there?' said I, 'and what do you want such a night as this?' 'Lane; come down.' I came. 'Are you crazy, Lane?' said I. 'No. Speer has bought the Lawrence Republican.' 'That is good. But what of it?' 'He wants \$500, to keep the hands from striking till the paper can earn something.' 'Now I know you are crazy. Neither of us can raise a dollar.' 'I have a plan, Mark. You know these Fort Leavenworth officers never bought a bushel of corn from a Free-State man. You go to the Fort, and tell them that your cousin, Abraham Lincoln, wants you to go to Springfield, and you may have to go to Washington, and you want to sell them \$500 worth

of corn. Ham. Johnson has the corn. Tell them that, Mark, and you will think that every mule around the Fort is braying for corn.' I told the story, and I had a check for \$500 before I told them where to find the corn."

This was no deception; for that was the relationship; and the great man was entertained by Judge Delahay, when he visited Kansas, and he had absolutely invited him, and asked his advice. It illustrates the quick-witted shrewdness of Lane.

The next day, Lane and H. P. Johnson walked from Leavenworth to Lawrence (35 miles) and brought the money; and, as a consequence, Johnson's brother-in-law, Col. Nicholas Smith, who afterwards married Horace Greeley's daughter, became my partner, and it was soon rumored that there was a Lane paper in town. About that time, Col. D. R. Anthony and D. W. Wilder sprang up with the Daily Conservative at Leavenworth, favoring Lane—and there was music in the air, and howling in the Anti-Lane camp!

This illustrates his judgment of men. On the eve of the Senatorial election, two of his staunch friends, Hon. Chester Thomas and Dr. Gilpatrick, were almost his constant companions, their conceptions quick, and their judgments clear. They would caucus and consult and plan in Lane's office till 3 o'clock in the morning, and then sleep on the floor till daylight, and go at it again. Capt. Charles F. Garrett is authority for the story, that, once, when Lane walked to Leavenworth, and returning, could not cross the Kansas river for the ice, he had a

campfire on the north side, and Thomas and Gilpatrick had one on the south side, and they were holding a caucus. I failed to attend; but if Hon. J. C. Burnett was not there, he was singularly neglectful of his duties.

Mr. C. A. Faris, a distinguished printer, now dead, told this story of an episode in Lane's struggles, which he witnessed himself, and is so absolutely true as to need no embellishment. Early in 1855, there settled in Topeka a wholesouled Irishman, Hon. E. C. K. Garvey. He was a Democrat, and an ardent Free-State man. He built a hotel; but his devotion to the Free-State cause made it a home of hospitality, and everybody was made welcome. Lane got in debt to him, and Garvey was hard pressed for means. He came to Lawrence, determined that Lane must pay him. The two met on Massachusetts street; and Garvey, flushed with anger at his wrongs and in his forbearance, demanded the money, expostulating over Lane's injustice. It was a shivery day; and just then Lane's little boy appeared in his bare feet, when Lane, appealingly in good nature, said: "Mr. Garvey, do you suppose, that, if I had two dollars in the world, I would pay it to you before I bought that boy a pair of shoes?" Garvey thrust his hand in his pocket, handed Lane two dollars, demanded that he should take it, and saying, "If I get worse off than you are, pay me when you can," returned to Topeka.

CHAPTER XVI.

ELECTED TO THE UNITED STATES SENATE.

The State admitted into the Union when Lane was so poor that he was refused credit for a loaf of bread in Lawrence, and was as ragged as Diogenes, he accepted a ride to Topeka in a neighbor's farm wagon with but twenty dollars in his pocket, took rooms at the Topeka Hotel, and opened his campaign; and when his assailants made an attempt to get the landlord to turn him out, assuring him that he would be defeated, and therefore would never be able to pay, he coolly remarked that he believed he could "move into a storebox on Kansas avenue, and get ahead of the hounds." He returned to the scenes of his poverty, his beloved Lawrence, which he had done so much to defend, a United States Senator.

There probably never has been such a struggle in the history of Senatorial elections. Senators have been chosen, who have apparently made no effort for themselves; but such has not been the custom in the Western States. It was intellect against intellect, and strategy against strategy. From the time of the adjournment of the Territorial Legislature, February 2, 1861, till the

day appointed by the Governor for the assembling of the State Legislature, March 26, there was no rest for any of the aspirants. There were vacancies to fill in the House, as has heretofore been referred to, in the Eighth, Tenth, Eleventh and Twelfth districts. In the Third Senatorial district, Samuel Lappin (afterwards State Treasurer) was elected to fill a vacancy. There had been an understanding between Gen. Lane and Hon. Marcus J. Parrott, that they were, as far as possible, to combine their forces. In that district, where Parrott was especially relied upon to work to that end, he utterly failed, or else was untrue to his pledges; for Senator Lappin was a most uncompromising opponent of Lane. In the Eighth district, composed of Johnson and Douglas counties, Rev. Werter R. Davis, a warm friend of Lane, had pledged himself publicly and unequivocally for Parrott. It was the home of Lane, and a vigilant, earnest, desperate campaign was made in that district, electing Davis by a significant majority over his opponent, L. L. Jones, a brilliant speaker, an able man, but considered a little presumptuous in being a candidate in less than a six-months' residence. Davis was also an able speaker, a Methodist preacher. There were ten representatives and three senators in this district, and it was well understood that both parties would regard the election as instructions for or against Lane to the whole membership of the district. S. C. Pomeroy and F. P. Stanton were pitted against Lane and Parrott, though afterwards, on account of Parrott's failure to effect his part of the understand-

ing, and considerable unexpected opposition being developed against Pomeroy, an adroit union was secretly formed against Lane and Pomeroy. On the first day of April, a vote was taken in the Senate for "a Senator from the south side of the Kaw," Frederick P. Stanton leading, and Lane receiving only nine votes out of twenty-five. We were then not operating under any law of the United States; but the usual way was, by vote of both houses, to go into joint ballot; and in several States, the failure of one of the houses to vote for a joint session had defeated any election. This was what that movement meant—either the defeat of Lane or the defeat of any election, with the probabilities against him. It was a surprise to Lane and his friends, and aroused Pomeroy also to the danger of the situation; and in the dead of night, in a private house, the two statesmen met, and effected a written secret organization, which is here presented for the first time:

* TOPEKA, KANSAS, April 1st, 1861.

We, the undersigned members of the State Senate, do hereby agree to vote for a resolution to go into a joint-convention for the purpose of electing two United States Senators, or agree to vote to concur in any such resolution coming from the House of Representatives, for the same purpose; and also agree to vote for such resolutions as are necessary to attain that purpose.

JOSIAH MILLER.
H. S. SLEEPER.
S. D. HOUSTON.
T. A. OSBORN.
J. A. PHILLIPS.
JNO. LOCKHART.

J. C. BURNETT.
WM. SPRIGGS.
P. P. ELDER.
H. W. FARNSWORTH.
H. N. SEAVER.
JNO. A. MARTIN.
ED. LYNDEN.

The signature of Senator Lynde is in the handwriting of Hon. J. C. Burnett. Mr. Lynde held back a good while, but finally authorized Mr. Burnett to sign it, and the die was cast. When Mr. Thomas looked the list all over, he laughed, as he looked at Lynde's name, and dryly remarked, "Your pivotal man was a little too shakey, but, if he told Burnett to sign it, he'll swing 'em around all right."

These thirteen Senators stood squarely up to their pledges on every trial of strength, Chester Thomas on the floor, audibly remarking, "Thirteen is more than twelve," and "We'll let 'em know that thirteen's no unlucky number; they can't April fool us any more!" until the fourth of April, when they came to a final trial, thus: J. H. Lane, 55; S. C. Pomeroy, 52; Marcus J. Parrott, 49; F. P. Stanton, 21; M. W. Delahay, 2; S. D. Houston, 1; S. A. Kingman, 3; A. J. Isaacs, 11; M. F. Conway, 1.

The Lieutenant Governor announced that James H. Lane and Samuel C. Pomeroy were elected United States Senators.

The voting was long continued, "in which interval," says Wilder's Annals, "Lane fluctuated between 45 and 64, Pomeroy between 49 and 57, and Parrott between 47 and 60." . . . "Fifty-eight members changed their votes."

Having witnessed the voting, and all the numerous changes, for two hours, we doubt whether the whole vote could have been accurately counted in that way; and it

was always insisted by many of Parrott's friends, that he was "counted out," though no doubt was ever expressed as to the election of Lane.

Taking all the circumstances into consideration, it was a most wonderful triumph of oratory, genius, courage and good management.

The effort to get him out of his hotel was an embarrassing situation. Mr. Stewart, the landlord, was his particular, earnest, substantial friend; but the normal condition of all Kansas was poverty, and the landlord was hardly an exception to the rule. Whether Lane had paid him a cent I do not know; but certain it is that his whole capital was twenty dollars. Mr. Henry Brown, of the firm of Duncan & Brown, from whom he borrowed it, says it was thirty dollars; but if so, he must have given his family ten for their necessities. When this report came to Col. John Ritchie, he went out voluntarily, and raised him twenty or thirty dollars more; and Mr. Bassett, the singing master, went to Lawrence, twenty-five miles, and came back with a similar amount—and, when I asked him how he got it, he gruffly replied, "Took my own."

Wesley H. Duncan and Charles S. Duncan, a couple of Virginia Democrats, whose parents were slaveholders, became great friends of Lane, and did him many good services.

In this crisis, many friends, in and out of the Legislature, stood manfully by him. No attempt to enumerate them could do equal justice. No man in the history of

Kansas had such warm, devoted friends among the people, and no man aroused such antagonism among corrupt, ambitious, trading, trickstering politicians as were aroused by Lane.

As we think of Lane's friends, our memory runs back to the gallant Col. S. S. Prouty. He dropped his composing stick in a Chicago printing office, and followed him on foot, his knapsack on his back, through Iowa, Nebraska and Kansas to Prairie City, where he established a newspaper, ably supporting him; thence onward he moved to the Neosho valley, where he became a leader in journalism. "Jim Lane forget his friends!" Let us tell. The war was raging. Prouty and Lane and I sat in his parlor on F street, Washington. He says, "Excuse me, gentlemen; I have business at the War Department." Perfunctorily, we walked with him a block, one on each side, during which he said he was going to the Department to have Mr. Findlay, of Lawrence, made a quartermaster. I left him; Prouty walked on, and as he entered the office, Prouty says: "Why cannot you have my name put in that blank?" "I can." And in it went. Findlay's appointment was delayed; but not forgotten.

Let us turn back. Not a week after his election, the affairs of love come in; and I was invited to the wedding of his accomplished and beautiful daughter, Miss Ella, to Col. Charles W. Adams. It was a very humble wedding in a very humble pioneer cabin. Only a few were invited, his personal friends in the campaign; and,

as I remember, when I entered, there sat Josiah Miller, J. C. Burnett, Frank Adams, J. H. Shimmons, Sidney Clarke and one or two others, looking so much like a Lane meeting, that I inquired of Judge Miller when the caucus would begin! Lane said they could afford no wedding festival, but he wanted a few friends to witness the ceremony and have a parting word with them before he left for Washington.



THE SENATOR'S CABIN.

As he started to the capital, with his commission as Senator, and a very small amount of money, which he had borrowed, securing its payment by an insurance on his life, and an order in advance on the Sargeant-at-Arms for his salary as Senator, he remarked, "Now, we will see what a live man can do;" and his power with the President and in all the departments was soon painfully apparent to his antagonists, and it became a stock phrase with them, that "it was strange and unaccountable that he should have such power with such a man as Lincoln."

Going to Washington at the most critical period in American history, when, if the enemy had known the weakness of the city, the capital and all its archives and all its treasures, with the captivity of the President himself, would have been an easier conquest than when the British captured it under President Madison, we will see what he did to secure the gratitude and everlasting admiration of Abraham Lincoln.

CHAPTER XVII.

BIVOUC IN THE PRESIDENTIAL MANSION.

Just before President Lincoln started to Washington to assume the Presidential chair, Gen. Lane tendered him a body guard of Kansas men, to be led by himself, to escort the President to the national capital, which the good man, conscious of his own patriotism and humanity, politely declined to accept, expressing his firm belief in the loyalty of the American people. The result was that he narrowly escaped assassination at Baltimore, and was submitted to the humiliation of traveling in disguise.

What the result might have been, had the President accepted this proposition, no man can conjecture. The opponents of Lane, or many of them, have labored to prove him a reckless man, devoid of all prudence. Never was there a more mistaken idea of any man. That was not a characteristic of him in the Mexican war when he was a young man; and he had greatly profited by experience since that period. We practically had had war in Kansas from 1855 till 1861—six years—and no mistakes of that kind were made. To a young, active Free-State

man of his command, anxious for a fight as John Brown ever was, he said: "You are always wanting to kill somebody. What we want to do, is to make Kansas a Free State, and kill nobody. And the way to do that is to be always ready to fight, if unavoidable or necessary." In the six years of practical war in Kansas before the war for the Union began, he had the most exact knowledge of his men and all their characteristics. He knew whom to trust and whom to avoid.

In his offer of a guard to the President, his plans were for an organization of men, who should appear at different points, as if they were passengers, getting upon the trains about in the regular manner, some going to witness the inauguration, some for one purpose and some for another, none of them armed, but all ready to be armed, the arms within reach, and ready to use them.

"All is well that ends well;" and the prudent escape of the President from assassination at Baltimore has gone into history. There is every probability that, if he had been with the President, as he contemplated, and an attack had been made, the scene would have been altogether different from that which occurred when the first Massachusetts troops were assaulted at Baltimore and several killed. At the very first demonstration, after the mob had wounded a single man, the killing would have been of the mob, and the first battle of the war would have been fought right then and there; and lurid flames of Baltimore might have lighted the scene. But it is useless to speculate on "what might have been."

Going to Washington at a time when the assassination of the President was still imminent, and a general assault upon the city probable, President Lincoln, with the utmost confidence in Lane's heroism, loyalty and judgment, accepted his services with one hundred and sixty of his chosen men, principally from Kansas, and he bivouacked in the famous East Room of the Presidential Mansion. This was the beginning of that intimate friendship which was never broken between the two except by the dissevering chords of death. There was no ingratitude in Lincoln; and if he erred at all, it was in the plenitude of his gratitude for the man who had boldly thrown himself upon the threshold against harm to the Nation's chief.

The following from Hon. Cassius M. Clay will be interesting:

WHITE HALL, KY., Dec. 12, 1894.

MR. JOHN SPEER, Lawrence, Kansas:

DEAR SIR—Your favor of the 3d inst. received. James H. Lane raised a company of military in Washington in 1861. Soon after, I did the same in Willard's old theater. When the commands met, I was chosen major, and companies were consolidated. I was at the defense of the Long Bridge, under my command.

Yours truly,

C. M. CLAY.

The two organizations were distinct and separate until after Lane was authorized to discharge his men. There were two places of great danger—the President's Mansion and the Long Bridge. When Clay started with his command for the bridge, a great crowd of rebels fol-

lowed, hooting and yelling and crowding, until the insults became unbearable; when, suddenly, he gave the command: "Halt! about—face! ready!" He did not have to give the command to "aim." There was nobody to aim at. That voice of Clay's was worth a thousand men. For those services, he was promoted to the rank of Major General, the first man ever promoted from the ranks to that position.

Hon. William Hutchinson, one of the guard and one of the framers of our present State Constitution, has sent us the following, clipped from the Washington Daily Chronicle about twenty years ago, without any credit, except that it was from a Kansas paper, and Mr. Hutchinson thinks it was written by me; but I am unable to identify it. At any rate, the facts are there:

AN INCIDENT OF THE WAR.

When Senator Cameron is pressing a measure for special recognition of services rendered the Nation by the troops that first reached the capital in its defense, he should include an organization of men that sprang to arms in the national capital, at his request, before it was possible for troops to reach there from any of the States. We allude to the company of Western men, mostly Kansans, who formed themselves into a company known as the Frontier Guards, under the captaincy of Gen. James H. Lane, then a United States Senator. This company numbered nearly two hundred men, most of whom had seen service in Kansas, and under the leadership of

Lane, at that critical period, inspired a wholesome terror among the then rampant secessionists who were overwhelming everybody on the streets of Washington. Their presence, no doubt, prevented an attempt, then well understood to be organized for the purpose of capturing the President, and overturning the government by a coup d'état in Washington city.

The ex-Secretary will no doubt remember the intense anxiety for the safety of the President that pervaded officials, indeed all loyal citizens, when Major David Hunter, since Major General Hunter, was sent to the headquarters of the Frontier Guards, at Willard's, late on the night of April 16, 1861, with the request from the Secretary of War, that Gen. Lane should report with his company at once for duty at the President's house; how that company, one hundred and eighty strong, within half an hour from that time, filed into the East Room of the White House, threw out pickets in every direction, and bivouacked that night in the President's mansion.

The ex-Secretary will doubtless remember that historical scene, when, about midnight, the President and Secretary, arm in arm, appeared at the great entrance door of the East Room, and looked in upon that strange spectacle of an armed force camping in the dwelling of the President.

If the Secretary is as close an observer as we take him to be, he has not forgotten the strange, sad expression of Mr. Lincoln's face, as, in looking upon that scene, he seemed to catch a glimpse of the terrible struggle just

then coming on, and of which he was to be the great central figure. That was an occasion for a masterpiece, and we wonder that the pencil of some great artist has not caught and put on canvas that first great picture of the war.

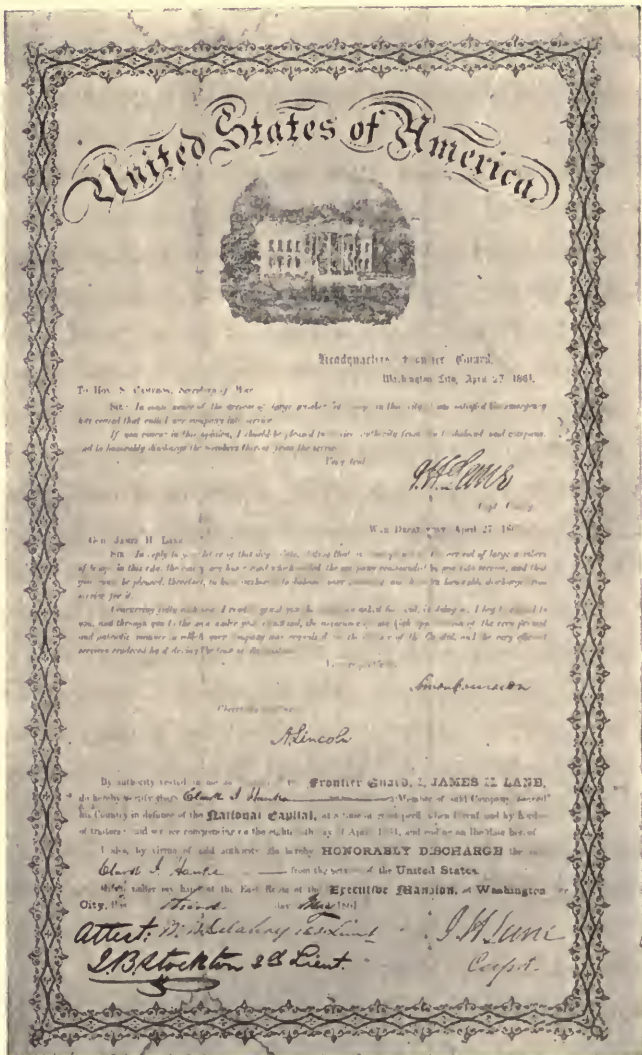
That company was on duty for several weeks, and never received or asked for any compensation, and doubtless would refuse a money consideration now; for that was given voluntarily and freely as a patriotic service to the Republic in a time of great peril. But if medals are to be awarded to the volunteers who first arrived to succor the capital, why not include these men?

This excerpt, its paternity in doubt, but which I adopt, makes a wise suggestion, which ought to be adopted even now.

With his proverbial care for the honor of his soldiers, Gen. Lane saw that these brave men were honorably discharged from a service which has no parallel in the history of the country; and we are fortunate in being able to produce in reduced fac-simile a copy in which two of the relatives of President Lincoln are honored—Hon. Mark W. Delahay, and Hon. Clark J. Hanks, the latter a nephew of the man who assisted Lincoln in “mauling” the rails which were so triumphantly carried into the Chicago convention when Lincoln was nominated for the Presidency.

Hon. Charles H. Holmes, one of the guard and afterwards Secretary of New Mexico, informs me that Lane sent him with a squad of men to capture Col. Robert E.

DISCHARGE OF FRONTIER GUARD.



Lee, but he had escaped for Richmond before the squad reached Arlington.

This being an impromptu voluntary enlistment, we find, after diligent search, that no roster seems to have been preserved in the War Department; and we are now only able to give the following names: Harry C. Fields, Marcus J. Parrott, D. R. Anthony, Mark W. Delahay, Clark J. Hanks, Job S. Stockton, Thomas Ewing, jr., J. C. Vaughan and A. Carter Wilder, of Leavenworth; William Hutchinson, Sidney Clarke and James H. Holmes, of Lawrence; Chester Thomas, of Topeka; David Gardner, now an officer in United States army at Fort Myer, D. C.; Thomas D. Baneroft, student at Genesee College, N. Y.; Charles Howells, brother of the distinguished author.

CHAPTER XVIII.

GEN. DENVER'S KANSAS CAMPAIGN.

After Gov. Denver's dismal failure to establish slavery in Kansas, we supposed he was lost forever. He was the eighth or ninth Governor, and when he left in 1859, Gen. Lane and his men had, speaking politically, as completely slaughtered them all as Joshua slaughtered the "one and thirty kings," whom he "smote from Baalgad in the valley of Lebanon even unto the mount Halak." But Denver came back as a Brigadier General in November, 1862. The reporters did not annoy him by jostling him in his marquee, for reports of his battles, or his schemes of war; nor did the camp-followers get on his trail as birds of prey; even the sutler lost trace. Fortunately, he has preserved the history of his own campaign, and it may be read in the Transactions of the State Historical Society, 1886, Part I, page 173; and the gist of it is like this; "I did report to Gen. Hunter at Fort Leavenworth for duty. He looked at my order and said: 'Very well; I will just put you in command of all the troops in Kansas.' 'Well,' said I, 'General, what are the troops, and where are they?' Said he, 'I

don't know any thing about them. You must find them the best way you can.' Well, I soon found that he was much disgusted about something." That report beats Cæsar's famous dispatch, "Veni, vidi, vici," in brevity; for Cæsar only described a battle, while Denver described a whole campaign. We sent a tracer after him by that vade mecum of literature and multum in parvo of history, Wilder's Annals, and it reads thus: "November 30, 1861, Gen. James W. Denver ordered to report at Fort Scott. . . . March 15, 1862, Gen. Denver ordered to take command in Kansas." That is all. If he ever hurt a rebel in Kansas, the rebel might have retorted in another quotation from Cæsar, "Et tu, Brute?" What possessed him to come back to the people whom he attempted to enslave, and of whose soldiery he could only speak in contempt—he couldn't find them, while the fighting rebels had found and felt them on a hundred battle-fields—is beyond mortal ken. No wonder if the soldiers' salutation was, *Veni, vidi, vamo*!

If the grim explanation of Lane was unjust, it was not unprovoked: "It was a trick of Lincoln, to keep him out of mischief by allowing him to draw a salary in reenbacks instead of Confederate notes."

CHAPTER XIX.

DELAHAY'S APPOINTMENT AS UNITED STATES JUDGE.

Hon. Mark W. Delahay and Lincoln were not only boyhood friends and companions, but relatives. In the days of the President's fame, he never forgot the boy who was his companion in his poverty. When Mr. Lincoln visited Kansas in December, 1859, he was met at St. Joseph, Missouri, and escorted into the Territory by Mr. Delahay and Hon. D. W. Wilder. In less than a month after the President's inauguration, he tendered to Delahay the appointment of Surveyor General of Kansas, which he accepted.

Now I state a fact in the President's conduct which has never seen publicity. All familiar with the affairs of that period, will remember what an onslaught was made upon Lane, when it was announced that Delahay had resigned the office of Surveyor General to accept that of United States District Judge. All the epithets of the English language were hurled at Lane and Delahay. Among Lane's opponents, man after man, committee after committee, every man that had a title, or a public reputation as a leader, was sent to Washington to

remonstrate both with Lincoln and the United States Senate against the outrage alleged to have been perpetrated by Lane in misleading the President and in his attempt to further impose upon the Senate. Lane did not ask his appointment at all, nor did he recommend nor think of recommending it. The facts were imparted to me in confidence at the time. On the death of Lincoln's special friend, Judge Williams, Lane called to see the President and condole with him. As he was about to leave, he remarked to Mr. Lincoln that it would be improper so soon to talk about a successor, but before he made an appointment he should be pleased to confer with him. Mr. Lincoln took him by the hand, saying he would do so, but still holding his hand, added: "But I think it will take a very good man to beat my friend, Mark W. Delahay for that office, if he will accept it."

That was enough. Delahay accepted the office, and Lane accepted the situation, and stood as firm as a rock; not for his own choice, but for the President's. And every man, and every committee, and every official, who went to the President to assault either Lane or Delahay, only offended Lincoln, and cemented the bonds of friendship between Lincoln and Lane. The President told a distinguished Kansas man who represented that Delahay was no lawyer, that he (Lincoln) knew Delahay was a better lawyer than he was, and he flattered himself that he would do for a Kansas Judge. In this the great man was probably mistaken; but as Delahay and Lincoln commenced life together—the one with good oppor-

tunities and quick perception, and the other untutored and in poverty—it was probably true then ; but Lincoln did not realize that he had outstripped a vast majority of jurists and statesmen.

CHAPTER XX.

GEN. LANE ON THE VIGOROUS PROSECUTION OF THE WAR AND ON COLORED TROOPS.

Two facts must be recollected in Lane's conduct in his command :

First : That he had never, until he entered Missouri under the flag of his country, crossed the imaginary line of that State in enmity. One side of that line was black with the curse of slavery—the other, had been made red with the blood of freedom's sons ; and the slavery propaganda of Missouri, South Carolina, Georgia and other slave States had invaded Kansas, not only fraudulently to vote away the rights of the people, but by violence to drive them out of the country. The question in Kansas might have been peaceably settled, but for frauds and violence never preceded.

Second : It is an undenied fact, that there never was evidence shown of a Kansas man voting or trying to vote in the State of Missouri, or of any organized opposition against her, until after the bombardment of Fort Sumter, April 12, 1861. Five days thereafter, Gov. Claib. Jackson replied to the President's call for seventy-five

thousand troops to put down the rebellion: "Not one man will the State of Missouri furnish to carry on such an unholy crusade."

Prior to that, men had been tarred and feathered, bucked and gagged, and left to die on the prairies, hacked to death with hatchets, scalped and the scalp carried into Leavenworth on a pole; raids of men from Missouri had voted without residence, by thousands, and afterwards, as less expensive, poll lists had been forged by thousands of names, copied from Cincinnati and New York directories; and the Missouri river blockaded against loyal Americans and the American flag.

There never was a falsifier so colossal as to pretend that a Kansas man had ever crossed the Kansas line to vote or assault a citizen of another State under the orders of the Union to uphold the American flag; and no such pretence is made now.

Comparative peace had prevailed for a year—not perfect peace in all our borders; but we were able to carry our own elections and conduct our own affairs.

The crisis came as the war commenced. We were but a handful compared with Missouri.

We naturally looked for a leader; and there was but one in full sympathy with the people—Lane. He was a Senator—indisputably anxious for military honors, with all his civic promotions. He took the field, as did other Senators. He was beset with opposition, and the right to his seat disputed, and for a long period he was harrssed over that; but he finally triumphed over all.

It is not necessary to follow him in detail. It was soon found that Kansas soldiers under him were not to be put on guard to protect the institution of slavery. He boldly declared that he would not lend a hand to the support of an institution which had attempted the overthrow of every right of his adopted State. About that time, Gen. Benjamin F. Butler had announced his celebrated order that slaves were "contraband of war." Whether he followed Butler or preceded him matters not.

The regular army officer was very frequently a cold-blooded conservative. Life officers under different administrations, the teachings of the governments of each administration were inherited, and many of them were taught the doctrines of Hayne, Alexander Stephens and McDuffey, that slavery was the foundation corner-stone of the American Government, exemplified by the patriarchs and illustrated by Christ and the Apostles. On the other hand, Lane's men had most of them fought slavery from the time of the organic act in 1855, till they entered the war in 1861, under the teachings of Wesley, the divine, that it was "the sum of all villanies," and they believed in the denunciations of it by Jefferson, the statesman, when he exclaimed, in view of it, "I tremble for my country, when I remember that God is just!" There was but an imaginary line two-thirds of the way, and the Missouri river the other third, between Missouri and Kansas, with five years of the bitter antagonism, the wrongs of invasion, and responsibility thereby for all wrongs, to foment the feuds and incite revenge

for the past, when the clash of arms came. Constitutions and laws had been but as ropes of sand to the former ; but they claimed the forms of law. That claim, little as it was worth, was lost ; and Lane and his men entered Missouri to maintain the integrity of the Constitution, under the flag which had been immortalized in three wars. Lane himself had been six years in finding out that slavery was local and freedom national, and he had no idea of using a single shot or a bayonet to uphold slavery or slaveholders in a country where all were hostile, and the slaves kept in rigid subjection, and when not erecting breastworks or doing other menial duty to masters in the field of conflict, were raising all the crops and edible supplies for the armed enemies of their country and their families, in whose homes aid and comfort were given to the foe, and the bushwhacker's bullet to the loyal citizen. About that time, Gen. Fremont issued a proclamation of freedom. Lane issued no proclamations of the kind, but he scattered the slaves in all directions, pointed them to the North Star of deliverance, and "broke every bond, and let the oppressed go free." He captured the stores of an enemy which shot every man who dared to make a move towards enlisting under the American flag, and subsisted upon the enemy.

He had learned in the school of the pioneer that to weaken the enemy in resources of sustenance was better than to kill him, and his speeches to the Kansas people at home and the Kansas soldiers in the field were illustrated by his widely-known story of Joe Darrah : "In

the school of Kentucky on the line of the Hoosiers and Cornercrackers, when I was a boy, we fought prize fights at the country schools for the mastery. I had practiced till I was proud and vain of my proficiency; but there was one Joe Darrah, a boy of my age, whose skill and muscle I had failed to overcome. One Saturday night, when we boys were in swimming, poor Joe knocked his shin upon a rock, and I had him show his sore, and I marked well the spot that was wounded, and was ready whenever he should have the temerity to enter the contest. The time came the next Saturday night; up came Joe and the combat commenced. The first opportunity, I kicked Joe on the shin, and he fled the field bellowing like a calf. I tell you, comrades and fellow-citizens, that slavery is the sore shin of the Confederacy, and you miss the opportunity of your lives, if you fail to kick it whenever and wherever you can. When the slaveholder comes into camp whining about his constitutional rights, and begging you to help catch his slaves, kick him on his sore shin."

In all these methods of war and strategy, he but preceded the inevitable. In this, however, he was the forerunner of Abraham Lincoln, counseling and advising with that great statesman, as we shall show hereinafter.

But the mossbacks of civilization were against him, and Gen. Halleck wrote to that other fossil of the barbaric era, Gen. Geo. B. McClellan, December 19, 1861, who was acting on the theory that slavery was to be protected first and the Union afterwards:

The conduct of our troops during Fremont's campaign, and especially the course pursued by those under Gen. Lane and Jennison, has turned against us many thousands who were formerly Union men. A few more such raids, in connection with the ultra speeches made by leading men in Congress, will make the State as unanimous against us as is Eastern Virginia.

The conduct of the forces under Lane and Jennison has done more for the enemy in this State [Missouri] than could have been accomplished by twenty thousand of his own army. I receive almost daily complaints of outrages committed by these men in the name of the United States, and the evidence is so conclusive as to leave no doubt about their correctness. It is rumored that Lane has been made a Brigadier General. I cannot conceive of a more injudicious appointment. It will take twenty thousand men to counteract its effects in this State, and, moreover, it is offering a premium for rascality and robbing generally.

The idea of what Lane and Jennison are doing is as maudlin nonsense as if he had written that Capt. Kidd and Henry Ward Beecher had vexed the seas with their piracies. Jennison was, if possible, a more malignant enemy of Lane than either Halleck or McClellan; but for different reasons: Jennison was a wild man, who considered Lane too conservative; Halleck and McClellan considered him the extreme of radicals. Jennison was a roysterer, a reckless, drinking man, and a gambler. Jennison allied himself with Lane's bitterest enemies, and, with a big sword on, went to an election where he had never lived, and had no rights of suffrage, and stuffed a ballot-box to defeat one of Lane's warmest friends; and in 1862 he went into the State Convention with a proxy which he boasted he had bought, and when his boasts were proven on him he admitted his boasts, but, to save his friend, denied the purchase, and told

the Convention to "set that down as one of Jennison's lies." That was the honor of the gambler. Jennison would win the last dollar a man had, give him back a five-dollar bill, and send him home to his family in a carriage. In Missouri, they called the lone chimneys "Jennison's monuments."

It must not, however, be imagined that Jennison ever got even with the rebels of Western Missouri in barbarity. He was a gallant and heroic man; but he was not a co-operator with Lane, nor did he recognize his command; and most of the depredations charged to him were committed after the diabolic provocations of the Quantrill Massacre, when Lane had no command whatever, and was almost constantly in the Senate.

Gen. Halleck, writing to Secretary Stanton, March 25, 1862, after a mild censure of "the enemy's guerilla bands," saying "they are rapidly disappearing," thus again assails Lane:

2d. The Kansas jayhawkers, or robbers, who were organized under the auspices of Senator Lane. They wear the uniform of, and it is believed receive pay from, the United States. Their principal occupation for the last six months seems to have been the STEALING OF NEGROES, the robbery of houses, and the burning of barns, grain and forage. The evidence of their crimes is unquestionable. They have not heretofore been under my orders. I WILL NOW KEEP THEM OUT OF MISSOURI, OR HAVE THEM SHOT.

November 19, 1861, Gen. Ben. McCullough, after having been pushed out of Kansas into Arkansas, thus gives vent to his views:

The Federals left eight days since with three thousand men, quarreling among themselves, and greatly injured their cause by taking

negroes belonging to Union men. Gen. Lane went to Kansas, [to the United States Senate,] Gen. Hunter to Sedalia, and Sigel to Rolla.

All this time, while Lane was being "shot" by Halleck, and making himself "unpopular" with Ben. McCullough, he was filling his place in the Senate; and it may be interesting to know what he was doing:

From the *Con. Globe*, 37th Con., 2d Sess., 1861-62, Part 1, p. 110.

The Vice-President announced that the following resolution, offered yesterday by Mr. Lane of Kansas, was now before the Senate for consideration:

"Resolved, That the Secretary of War be requested to furnish to the Senate copies of the orders directing the erection of barracks and other buildings for winter quarters for the Kansas troops."

Mr. Lane of Kansas. Mr. President: I do not desire to conceal my motive in introducing this resolution. As a citizen and a Senator, I have the right of criticising the acts of the government; and I mean to exercise it with the full flush of truthful patriotism—kindly, but fearlessly, cordially, beseechingly.

I will waste no words. I do not wish uselessly to consume your time. But the hour is, when truth should be spoken in these halls, and that plainly. I declare then, as a fact which all financiers will admit, and no statesman dispute, that every day's delay in the vigorous prosecution of this war is pregnant with peril to the Republic.

Sir, this is a war of the people. When Sumter fell, they became a unit. Party prejudices were scattered, personal hates forgotten. Roused by their wrongs, they proffered their strength and pledged all their resources to avenge an injustice which threatened to destroy the freest government on earth. Manassas followed—a fearful reverse, and seemingly a fatal defeat. But even that did not dash the spirit nor shake the purpose of the people. The balk of the moment, the blood and treasure lost, only deepened their determination to crush out the conspiracy. Such unity, such ardor, such sacrifices, the world has rarely or never witnessed.

Sir, let me not be misunderstood in this matter of delay. My confidence in the administration will not permit me, for a moment, seri-

ously to entertain the injurious suspicion that this army we have created—so admirable in spirit and discipline, so complete in all its appointments—this magnificent organization, to which the country has contributed its choicest spirits, and on which it has lavished untold millions of treasure—is destined, without one decisive blow struck, to a living burial in the inglorious obscurity of winter quarters! But, should this confidence prove to be misplaced—should this fatal policy of inaction seize upon the energy of our rulers, I feel, I know, that the public announcement of the fact will be as the fire-bell at midnight. Dismay and confusion will follow; and the eagles of anarchy may interpose new and fearful obstacles to the restoration of that government whose chief peril must always result from the loss of confidence on the part of the people.

Fortunately the people are as intelligent as they are patriotic. They do not require impossibilities, nor insist upon premature action. And thus we are brought to the consideration of the questions of strength and preparation.

Why is our army inactive? Will it be answered that it is still deficient in discipline? That reply is as unjust as it would be illogical. Ours is an army of volunteers, who must not be judged by the rules applied to regulars. You cannot drill it into that mere machine which martinets consider the perfection of efficiency. The citizen-soldier is an individual; no amount of discipline can destroy his individuality. Four months of industrious drill is ample time to prepare such troops for effective service. Prolonged inactivity will finally discourage his zeal. The prospect of action must be ever present as an incentive. Inaction is the bane of the volunteer.

These opinions I express with confidence; for I have had a large experience in the management of volunteer soldiers. The training of two distinct regiments during the Mexican war, with subsequent labors in Kansas, and the campaigns of the last spring and summer in Missouri, have given me a practical knowledge on this subject entitled to consideration.

The regiments that fought and won the Battle of Buena Vista were not as well provided as the army of the Potomac, and not better drilled. Sir, I have witnessed the drill of that army; and I am sat

is that it has reached the maximum of discipline attainable by volunteers, and that every day of inaction now tends to its demoralization. While, also, as regards discipline, we are as fully prepared for action as we ever shall be, we have the advantage of superiority, in that respect, to the enemy. Every unprejudiced observer during the Mexican war will testify that the regiments from the North, in the excellence of their drill, far exceeded those from the states now in rebellion. Our opponents are formidable only when their individuality can be shown while fighting under cover—as at Manassas, Springfield, and Ball's Bluff. Operating in mass, on the open field, we can always conquer; as at Drywood, where four hundred Kansas troops checked and drove back ten thousand rebels. And of these facts, the Confederates are themselves fully aware. Recently, at Spring River, eight hundred Kansas troops encountered six thousand rebels, covered by that stream and six miles of timber. This handful of heroic men offered a fight on the open prairie, which was declined by the enemy—either because they expected us to repeat the folly of attacking them in their timber-stronghold, or feared a defeat without its protection. It will require, on our part, rapidity of movement and boldness of strategy to force them into a battle on the open field.

So much for efficiency. That heroic veteran, the late Lieutenant General of the army, now forced by age and infirmity into a retirement made glorious by the memories of a long life of patriotism and triumph, announced the fact that the ides of October would see his columns prepared to move. Hence it is impossible not to believe that they are by this time complete in arms, equipment, means of transportation, and every other physical appliance of service.

Why, then, do they tarry? If Napoleon, with sixty thousand undisciplined recruits, scaling the frozen fastnesses of the Alps, and avoiding their hostile fortifications, could, in five weeks, reach the plains of Lombardy, pierce the Austrian lines, and annihilate the army of Melas, a hundred and twenty thousand strong, on the fields of Marengo, thereby emancipating the whole of Italy, shall it be said that we cannot surmount the hills of Virginia and Kentucky in spite of their defenses, and, penetrating to the heart of the rebellion, strike

in detail their armies inferior to our own in numbers, arms, equipment, discipline, and all that constitutes the true soldier, and stretch along a line of over two thousand miles in extent, destroying the heterogeneous hosts as we go, or scattering them in consternation, and restore to the rule of the Republic those fair regions now cursed by a usurpation more intolerable than that of the Austrian, and which holds in bonds of terror even those wretched men who are committed to its support? Mr. President, to doubt our ability is disgraceful!

Let it not be said that the snows of winter are upon us. If Washington could march his barefooted soldiers over the frozen roads of New Jersey, their footsteps marked with blood, and, in the middle of winter, cross the Delaware filled with floating ice, can we not, at the same season, move our well-clad legions towards the mild valleys of the South to re-establish that freedom which their sufferings secured?

Will you wait till spring, when the roads, if ever, will become impassable? or till our troops shall have been decimated by the diseases of summer? No. Clear this war of the doubts that surround its purpose; give to the volunteer a battle-cry; cherish the enthusiasm which is indispensable to success, and which nerved the conscripts of Napoleon to the achievement of victory without reference to disparity of numbers. See that your volunteers are not thrown upon artillery without preparation; they must see the guns, count them, hear the whistle of their balls, and thus prepared, no strength of fortifications can resist them; they are the most effective troops on earth. He who doubts this, or underrates them in comparison with others, knows but little of their energy of purpose and their devotion to their country and their flag. Was such another victory ever gained upon the open field as that of Buena Vista? Twenty thousand well-disciplined troops, amply supplied with artillery, overthrown by forty-six hundred ragged American volunteers! Those who witnessed that conflict will know how to appreciate the indomitable fighting qualities of troops like ours.

The occupation of the rebel states by our army is a **military necessity**. I laugh to scorn the policy of wooing back the traitors to their allegiance by seizing and holding unimportant points in those States. Every invitation extended to them in kindness is an encouragement

to stronger resistance. The exhausting policy is a failure. So long as they have four million slaves to feed them, so long will this rebellion be sustained. My word for it, sir, long before they reach the point of exhaustion, the people of this country will lose confidence in their rulers. And it is unreasonable to expect the loyal citizens of the rebel States to manifest their desire to return to their allegiance while their homes and families are in the power of their oppressors. Did the Italians welcome Napoleon till he had expelled their tyrants, and thereby proved his ability to protect them? So with the people of the disloyal States; march your armies there; engage and scatter the forces of the enemy; whip somebody; evidence your ability to protect the loyal citizens, their homes and families; and then, and not till then, will they rally to your standard by thousand and tens of thousands.

I have alluded, Mr. President, to the slave population of the rebel States. It is claimed by the friends of slavery that the institution is a source of military strength. The slaves are made, not only to feed and clothe their oppressors, but to build fortifications for their defense, and even in some cases to bear arms in their service. The slaveholders are right—and they are wrong; the institution is an element of strength, but only while it exists. Withdraw that element, and this Rebellion falls of its own weight. The masters will not work, and they must eat. Now they are fighting to retain their slaves, exposing their lives and the lives of their sons. Suppose we had their slaves: to what lengths would they not go in an opposite direction, in the hope to recover them? They would bow down in dutiful submission, even to Abraham Lincoln himself. In my opinion, the obtaining possession of those slaves by the government would be more effectual in crushing out the rebellion than the seizure, if it could be made, of every ounce of ammunition they possess. As the fear of losing their slaves is now the incentive to war, so would then the desire for their recovery be the inducement for peace. March your splendid armies into the heart of their Confederacy; win one victory; oppose kindness to cruelty, and as the peasantry of France rallied to the standard of Napoleon on his return from Elba, so will the slaves with one impulse flock to ours. The General who com-

mands the army will be received with the same acclaim as was Bonaparte; they will hail him as their liberator and friend, and by their very numbers will secure safety to his army. No trouble, then, in obtaining information of the enemy's operations. Interested in our success—grateful as they will be faithful, every movement endangering their champions and protectors will be instantly reported. Peace will be restored and the CAUSE of the war removed; and then, in these halls, in the interest of humanity and a united country, we can deliberate and do justice.

Mr. President, in my opinion the policy of fortifications should be discarded. A capital dependent upon such protection is not worth preserving. The only sufficient bulwark for its defense is formed by the loyal breasts of our citizen soldiery. Think no more of barracks for winter quarters; our troops do not desire them. Cheat yourselves no longer with the delusive idea that your camps are still schools of instruction; henceforward your lessons must be taught in the field. Advance rapidly, and strike boldly. The country is favorable; the climate invites; the cause demands. Advance, and all is accomplished; the government is saved, and freedom is triumphant.

Mr. Carlile replied, but we cannot cumber these pages more than to give the substance of his replication. The position of Gen. Lane is too intelligibly stated, and too faithfully sustained by the historical results following it, to need defense.

The substance of the reply was, that where there was greater danger of defeat than hopes of victory, we should hesitate long before precipitating battle. He was "surprised to hear from the Senator that twenty million of loyal people are unable to contend with five million in rebellion—counting all the whites that are in the rebellious States—without liberating the four million slaves that are in the slaveholding States." It was a speech

“deprecating slavery agitation,” and pronouncing any opposition to slavery as “an inhuman and unholy crusade against American constitutional liberty,” and averring that when the army “are to be changed into an army of negro thieves, you will see that army disappear as rapidly as the snow melts under the rays of a Southern sun.”

History has made that language laughable. But the utterances of Lane were the advance thoughts of the times, startling the Senate with their boldness. The official reports of 1861-62, show his perseverance in the policy foreshadowed in this patriotic speech. In this he confronted opposition from all quarters. On a proposition to insert the word “white” in a joint resolution for the enlistment of troops in Kansas and the Southwest, Gen. Lane said :

Give to Gen. Hunter the power asked for in this joint resolution, and I answer this Senate, as I answered a distinguished gentleman the other day, that he can have and use thirty-four thousand slaves in a column of thirty-four thousand soldiers; and without expense, too. Instead of shipping your flour to the army, send them corn mills to grind their own corn, and let the slaves who seek the lines do that business. I believe that we could profitably use in the army of the United States now in the field every able-bodied slave in the slave States, and that, too, without putting arms in their hands.

This joint resolution does not give to Major General Hunter the power to arm slaves, or to arm Indians, or to arm loyal citizens; but he can say to the loyal white man, “Join us; we will organize you into companies and regiments—bring your own gun;” he can say to those Indians, who are gallantly contending for our flag upon the western plains: “Come within our lines; we will organize you; we will feed you.” That is the power that is given under this bill, and

intended to be given; to receive them, to feed them, and to communicate with the Government as to their acceptance; and when accepted by the government, and not till then, to pay and arm them.

When further interrogated, he responded :

I say to the gentleman from Iowa, that I wished to be understood, that the Government of the United States was not committed in this joint resolution to the policy of arming the slaves. Permit me here to say, however, and I wish it distinctly understood, that if I had the command of that army, while I would not commit the Government to the policy, I would say to every slave: "I have not arms for you; but if it is in your power to obtain arms from rebels, I will use you as soldiers against traitors." [Applause in the galleries.]

Before these speeches were uttered, Lane had been liberating negroes, and advocating their enlistment in the army; but public sentiment had not advanced far enough to attempt the practical enforcement of his ideas. The prejudice against the negro made even the most advanced philanthropist hesitate in such a policy, under the fear that the negro, like the Indian, would perpetrate barbarities in revenge for their hardships as slaves that would arouse the enmity of the civilized world against our country, and it was for that reason that Lane's policy was not to stand up in the Senate and advocate unconditional enlistment; and only when pressed by Pro-Slavery men did he break out in his real sentiments, bringing cheers from the galleries.

Within six months of the time of these debates, as I was walking down Pennsylvania avenue, in Washington, with Lane, he told me that he had just received authority to organize three regiments of white and two of colored soldiers in Kansas; and when I asked in

amazement to see the order to enlist the colored troops, he informed me that it was a VERBAL promise from the President that he would see that they were clothed and subsisted until such time as they could be brought into line armed and equipped for battle; and on August 4, 1862, he opened a recruiting office in Leavenworth for both white and colored troops. He stumped the entire State, appealing to the patriotism of the people, in a campaign of unparalleled energy and power; and in less than six weeks he had the Eleventh, Twelfth and Thirteenth Kansas regiments organized, and a nucleus for the First and Second Colored infantry, the First Colored Battery thrown in for good count, and all completed before the ides of October. He appointed all the officers, under the authority of the President—no recognition being given to the Kansas State Government. I am not explaining. I am only attesting a fact. Abraham Lincoln did it.

Abraham Lincoln's "enemy has written a book," and in it he has given him this certificate:

Born as lowly as the Son of God, in a hovel, of what ancestry we know not and care not, reared in penury and squalor, with no gleam of light nor fair surroundings; without external graces, actual or acquired; without name or fame or official training, it was reserved for this strange being, late in life, to be snatched from obscurity, raised to a supreme command at a supreme moment, and entrusted with the destiny of a Nation. Where did Shakspeare get his genius? Where did Mozart get his music? Whose hand smote the lyre of the Scottish plowman? God, God, and God alone; and so surely as these were raised up by God, was Abraham Lincoln; and a thousand years hence, no story, no tragedy, no epic poem will be filled with greater

wonder, or be followed by mankind with deeper feeling than that which tells of his life and death.

Since Balak stood upon a high mountain, overlooking the armies of Israel, commanding his prophet, saying, "Come, curse me Jacob," and the prophet replying, "How can I curse whom God hath not cursed?" there never has been such a testimonial from an "enemy" as the noble tribute of Henry Watterson to Abraham Lincoln.

It will be well to remember, that, in all these tirades against Lane by Halleck and McClellan, his depredations generally consist in refusing to prevent negroes from fleeing from their oppressors, or encouraging them in leaving. But afterwards, that grand old Virginian, Gen. George H. Thomas, went into Mississippi and elsewhere, and swept all the able-bodied negroes within reach of his command into his army, and spread consternation and defeat wherever he appeared.

Another remarkable fact is, that on February 11, 1862, McClellan denounced Lane to Secretary Stanton for "seizing and confiscating the property of rebels," while six months before, (August 9, 1861,) the day that the rebel John Reynolds drove sixty families from the Neutral Lands in Kansas, and the day before the Battle of Wilson's Creek, McClellan was receiving letters, and considering propositions for deposing Lincoln and assuming either the Presidency or Dictatorship—(see McClellan's Own Book, page 85.) He says: "I receive letter after letter, have conversation after conversation, calling

on me to save the Nation, alluding to the Presidency, Dictatorship, etc." Lane would have captured and sent to prison any man who would have dared to enter his camp with such a proposition, and Jennison would have hung him. True, he said he was going to lay it down when he had "saved the Nation;" but dictators have a bad habit of abdicating with their heads off.

Lane's policy prevailed, and the world admits its wisdom.

CHAPTER XXI.

QUANTRILL'S MASSACRE AT LAWRENCE.

It is not our purpose to write a history of that unparalleled barbarity, beyond what is necessary to describe Gen. Lane's escape, and his futile but determined effort to capture Quantrill and his command, in which Lane had no command whatever; and any intelligible statement would require the censure or approval of the conduct of others.

August 21, 1863, in the twilight of the morning, the noted guerrilla and bushwhacker, William C. Quantrill, after having made two forays into Kansas as far as Shawnee, in Johnson county, in the first burning a fine hotel and five or six dwellings, as well as murdering several citizens, and in the second burning nearly all the place and murdering four or five more, with other depredations and murders at Olathe and elsewhere, entered Lawrence, and murdered 183 men and boys, maltreated women, and burned nearly all the valuable portion of the town, robbing banks, stores, houses, &c., to an aggregate of more than a million and a half of dollars.

Lane was an object of special vengeance. Three men

met Mr. Arthur Spicer, a well-known citizen, and asking him if he knew Lane, and where he lived, getting an affirmative response, he was shown a horse, with the command: "Mount! and if you veer to the right or left, you are a dead man!"

The race started on fleet horses, arriving at Lane's front door just as he escaped from a back window, and thence into a cornfield. Out of the cornfield he got to a clump of bushes, and soon managed to get a horse, which was pasturing near by on the prairie, and at the very earliest possible moment he was rallying men to his aid in pursuit. In the meantime, his home and all its contents went up in flames.

The position of the writer was such—having had two sons murdered, one of them supposed to have been totally burned up—that he had but few opportunities for exact personal knowledge; and he therefore copies literally from one of the most reliable men in the pursuit:

Quantrill had hardly drawn his men out of the burned city before Lane, securing a horse, started in pursuit, accompanied by a few citizens from the country.

Quantrill was easy to follow, as his road was lighted up by the burning houses and barns. Lane pushed ahead, being joined, as he went, by other citizens, until coming to Brooklin, on the old Santa Fe trail, he came upon Quantrill's men in the act of burning Thad. Prentice's house. They were driven off and the house saved, and no more houses were burned from there until they were safe into Missouri. They had enough to do to save themselves. The whole of Quantrill's force was in sight about half a mile ahead. Lane halted his following, drew them up in line, and counted off a total of 35.

mostly armed, some on mules, some on good horses, and others on old "plugs," some had saddles and some not—no two mounted alike and equally armed. Some had old rifles long unused, some muskets, others with shotguns, and some with pistols—all with a limited amount of ammunition, some having only the loads in their guns. It was apparent at once to Lane, that if he rushed this motley crowd, in the open prairie, onto Quantrill's cutthroats, he would be only leading them to certain destruction, and do no good. So, after a hurried consultation, it was determined to send one man back for ammunition, and to hurry forward the country people now swarming on the trail, with the word that he had overtaken Quantrill, and as soon as more men came up, would attack him. John K. Rankin had joined the pursuit some miles back. Lane placed him in command of the 35 men, and said, that as Quantrill was evidently heading south for the Ottawa ford, we would go and hang on his left flank, by the way of Prairie City, in the hope of joining the militia company of that section, and then be able to do something. He had only proceeded in that direction a mile or so, when Geo. Wood, a well-known farmer living near Black Jack, galloped up and said to Gen. Lane: "There are 250 cavalry just over here." They were in fact in plain sight. Lane at once directed him to return to the commanding officer, and say to him, that Quantrill was about half a mile west of where we were, across the cornfield, going down the Fort Scott road, and that we would attack him at once—to come on. Wood departed at full speed with his information, and Lane turned to Rankin and ordered him to proceed at all speed and attack. Then putting spur to his own horse, he led the way. Owing to the cornfields, it was necessary to follow the fences for quite a distance, they apparently terminating in some woods. Lane being much in advance, Rankin being detained by a vain attempt to keep his men together, passed the mouth of a narrow lane running west. Just after he had done so, and before Rankin had reached it, two companies of cavalry galloped into the lane, and were soon out of sight. On arriving at the lane, Rankin halted, and looking back for his men, discovered he had but one man with him, the rest being strung along for a quarter of a mile back, all

coming, but owing to the diversified and peculiar mount, no two of them could keep together. Seeing the hopelessness of ever getting these men as a body to the front, Rankin ordered the man who had been able to keep up to go back and turn all down the lane, and encourage all to come forward as rapidly as possible—that the regular troops had got ahead of us—and that he would go ahead and join them. This was done. On getting out on the open prairie, he found the way strewn with sidesaddles, calico, and all descriptions of plunder, abandoned by Quantrill's men on getting a glimpse of the soldiers. On coming up with the troops, he found one company deployed across the road as skirmishers, and heard the command given to charge, which was done in gallant style, advancing down the road on the run, Quantrill's rear guard being followed in hot pursuit, coming up with them as the farm of Mr. Josiah Fletcher was reached. Mr. Fletcher had extended the fence around his cornfield into the grass land on the west side, and across the road, making quite an angle in the road, around this new land and his cornfield. Rankin being familiar with the country, galloped to the head of the second company advancing in column, and said to the commanding officer, to throw his command into line, throw the fences, and advance through the corn, so that he would come up on the enemy's flank, the other company now having driven the rear guard in, they would be compelled to fight on the other side of the field. This they proceeded to do, no halt being made beyond the time required to open the field sufficiently to let the troops through. Coming up in line to the fence on the other side, to find Quantrill, as Rankin expected, drawn up in line awaiting, as he supposed, the inevitable assault, Rankin gave the order to throw the fence and charge. Just at this juncture, Lane, who, as before stated, had missed the lane, and consequently, Rankin galloped up through the corn, and also ordered the fence thrown, and to charge. Seeing no one disposed to throw the fence, Lane and Rankin dismounted and commenced to throw it, Lane urging with all his command of language the charge and the folly of stopping there. By this time, the officer in command came to himself, and shouted: "Dismount and give them a round or two with your Burnides at three hundred yards." This order was promptly obeyed.

Thereupon, Lane and Rankin, knowing the fence would be needed, quit throwing it. Almost immediately Quantrill and his men raised a shout and charged. The troops, not having been properly drilled or from some other cause, failed to take the usual precautions with their horses, and at the first discharge of their guns, the horses began to pull back. The men became confused, and no order or exertion Lane was able to use could avail to hold them to the work, with Quantrill's men rushing, yelling and firing towards them, and they went pell-mell back through the corn. The company which had been deployed as skirmishers having come around the field, started to make a counter charge; but finding they were not being supported by those who were in the cornfield, fell back. Lane and Rankin soon found themselves alone. Rankin mounted his horse first, but he knowing the danger, only delayed from unwillingness to desert a friend; Lane did not mount his horse until an advance man was within thirty feet of him. This man discharged his revolvers at Lane as he rose into the saddle. Riding rapidly through the corn, they found the men gathering their horses at the further fence. Lane exhorted them to mount at once and renew the attack, Quantrill's men riding out and waving their hats and jeering at them. Just as the company was about mounted, the officer in command of the troops galloped up with two more companies. After a word or two with him, Lane led the remounted company into a charge across the field; but on arriving at the other side, found that Quantrill had improved the short delay in getting away, and was now half a mile on his way to Missouri.

At this point our correspondent separated from the command. Col. Rankin had no command there; but he was then Lieutenant and Aide-de-Camp to General Robert B. Mitchell. Lane there fell in with the regularly-enlisted volunteer troops without a command, and loyally did his duty as a private soldier.

The historical fact is too patent to need repetition, that Lawrence was almost literally a community of non-combatants—not that they were religiously or conscien-

tiously non-resistants, but they were business men and boys too young and men too old for service, or invalids, the patriotism of the people having led nearly all fit for duty into the field; or, as one patriotic woman expressed it, as they ignited the liquid which sent her house up in flame, and one of them inquired, "Where is your husband?" when she replied, "At the front, with his armor on, fighting for his country, and not burning houses over women and children."

Col. Rankin, referred to by our correspondent, and his brother, William A., were among the very few who had any chance for resistance, and they showed resistance, and drove a squad of them from their place.

The concensus of intelligent opinion places the force of Quantrill at from 300 to 400 men. A Confederate history entitled "Shelby and his Men," etc., gives the number at 300. We copy the following statement from Wilder's Annals, page 371:

About daylight on the morning of August 21, 1863, Quantrill, with three hundred men, dashed into the streets of Lawrence, Kansas. Flame and bullet, waste and pillage, terror and despair were everywhere. Two hundred were killed. Death was a monarch, and men bowed down and worshipped him. Blood ran in rivulets. The guerillas were unerring shots with revolvers, and excellent horsemen. Geueal Lane saved himself by flight; General Collamore took refuge in a well, and died there. Poor Collamore! He should have kept away from the well upon the principle that actuated the mother who had no objections to her boy learning how to swim, if he didn't go near the water. Printers and editors suffered. Speer of the Tribune, Palmer of the Journal,* Trask of the State Journal, had n't time even

*This is incorrect. Palmer was in the Tribune office, (a mere boy,)

to write their obituaries. Two camps of instruction for white and negro[†] soldiers, on Massachusetts street (of course), were surrounded and all their occupants killed. Every hotel, except the City Hotel, was burned. Other property valued at two millions dollars, was also fired and consumed. . . . Massachusetts street was made a mass of smouldering ruins. Sometimes there is a great deal in a name,—in this instance more than is generally the case. After killing every male inhabitant who remained in Lawrence, after burning the houses in the town and those directly around it, Quantrill very quietly withdrew his men into Missouri and rested there, followed, however, at a safe distance, by General Lane, who made terrible threats, but miserable fulfillments. Two hundred white abolitionists, fifty or sixty negroes, and two millions of dollars' worth of property were fearful aggregate losses.

A careful scrutiny of that most accurate work, Wilder's *Annals of Kansas*, shows the significant fact, that, of all Quantrill's robberies and murders—the most horrible in the annals of war—not one of them occurred when Lane had any military command whatever, nor for more than four months after he surrendered all military control. The murderers stood back while Lane's Brigade protected the border, and confined themselves to murdering Union men in Missouri, sheltered in the fastnesses of the Snibar hills, from the brambly brush of which he and Upton Hays issued orders to shoot down all men seen going to Union posts to enlist.

and was shot down at the door; and the demons seized his body and hurled it into the flames of the burning building. His father, who repaired our presses, was burned to ashes in his shop; and his brother, Barney D., was then lying with an arm shot off in battle.

† There were no colored soldiers there. Captain Leroy J. Beam was organizing a company, and had twenty-one men—men they were, indeed, in courage and patriotism, though nearly all of them were from sixteen to twenty years old—my own burned and murdered son among them, who was eighteen the day before the massacre. They had no arms. Eighteen of them were massacred—three escaped.

CHAPTER XXII

LOCATION OF THE UNION PACIFIC RAILWAY.

In 1864, the construction of the Union Pacific Railway was commenced at Wyandotte, under the leadership of John C. Fremont, Samuel Hallett being his manager, and John D. Perry, a St. Louis banker, furnishing the principal portion of the capital. The laying of the track closely followed the grading; and almost before the people had realized what was going on, Hallett had graded the road clear past the city, missing Lawrence by about three miles, passing through the farm of ex-Governor Robinson, near the bluff of the Kansas valley. It had also been surveyed so as to miss Topeka by about the same distance.

Various consultations were held among the Lawrence business men, both Samuel Hallett and his brother Thomas, who was an engineer and assistant manager, meeting with them. Similar action was taken by the people of Topeka, in which Col. C. K. Holliday was conspicuous by his activity and influence. Samuel Hallett insisted that Lawrence and Topeka were both so far out of a direct line that Congress would refuse to appro-

priate the subsidies granted by their charter, if he diverted the track to either of those places. Lane and this writer held interviews together with him both at Leavenworth and Lawrence. At a Lawrence meeting, Lane made this proposition to him: "If I will get you a written recommendation from a majority of the United States Senators—all the Republican Senators and any others whom I can—will you consider that a sufficient guarantee that they will recognize you as entitled to the subsidies? and will you then locate your road on the north bank of the Kansas river opposite Lawrence and Topeka?" We both pressed upon him the argument, that, having urged him to make such location, they could neither refuse the appropriation nor investigate the propriety of his action. Hallett assented; and in due time, Lane drew up such request, and had it signed by every Republican Senator and several of the opposition; and, in addition, he capped the whole article with a signature not promised, that of President Lincoln. This is the letter:

WASHINGTON, D. C., December 7, 1863.

TO MR. SAMUEL HALLETT, CONTRACTOR OF KANSAS BRANCH PACIFIC RAILWAY:

We, the undersigned, having been informed that Lawrence and Topeka can be made points on the great National Railroad you are constructing, by an easy curve and slight deviation from an air line, (not exceeding two to three miles inclusive,) suggest to you the justice and importance of running the road to the north bank of the Kansas river opposite those points.

Lawrence having recently been destroyed by the rebels, and Topeka being the seat of Government of the State of Kansas, have peculiar

claims upon the Government, and are entitled to her fostering care. These cities, being the terminus of other railroads provided for by the Government, will become valuable feeders to your road. We therefore request you to locate the Pacific Railroad as before suggested, and oblige

Yours respectfully,

BEN LOAN.	J. H. LANE.
JAMES HARLAN.	S. C. POMEROY.
Z. CHANDLER.	A. C. WILDER, M. C.
W. SPRAGUE.	H. WILSON.
JAMES DIXON.	M. S. WILKINSON.
ALEX. RAMSEY.	TIM. O. HOWE.
H. S. LANE.	B. F. HARDING.
L. W. POWELL.	P. G. VON WIMPLE.
J. M. NESMITH.	W. L. WILLEY.
J. B. HENDERSON.	THOS. A. HENDRICKS.
LEM'L BOWDEN.	H. P. BARNETT, M. C.
EDGAR COWAN.	CHAS. SUMNER.
B. F. WADE.	JOHN P. HALE.
L. F. S. FOSTER.	DAN'L CLARK.
REVERDY JOHNSON.	SOLOMON FOOTE.
J. C. TEN EYCK.	JOHN SHERMAN.
S. C. DAILY.	E. D. MORGAN.
IRA HARRIS.	H. B. ANTHONY.

I cordially endorse the foregoing.

A. LINCOLN.

Notwithstanding all these endorsements and promises, Hallett still persisted in refusing to locate the road as agreed to, and was determined that Lawrence or Douglas county should bond herself to the amount of three hundred thousand dollars as a condition precedent to such location; and he came to me with an article of about one column, urging such donation, and offering me one hundred dollars to publish it in the Kansas Daily and Weekly Tribune, which I refused with contempt.

Not only did Lane do this, but he got a law passed

authorizing, but not compelling, the company to locate their road by Lawrence and Topeka, Congress holding that a compulsory law would interfere with vested rights; and still Hallett refused. In this crisis, as a last resort, to save the destruction of our city, a few of the business men of Lawrence, among them George Ford, Peter D. Ridenour, C. W. Babcock, B. W. Woodward and others, met and selected the writer to go to Washington and urge Senator Lane to protect them against the impending ruin to the city.

At Lane's room, I met Samuel Hallett and John D. Perry, the latter then President of the Union Pacific Railway. They called upon Lane at his room, and said to him that they had determined not to change the location of their road at Lawrence, unless the people would vote them three hundred thousand dollars. Lane was lying upon his bed when this proposition was made. His eyes flashed with indignation and contempt, as he raised himself up and replied: "Before you get a dollar out of that burned and murdered town,* you will take up every stump, and every old log you have buried in your grade to save money, and stone-ballast every rod to Lawrence; and even then, when you get your first subsidies, let Jim Lane know!" They attempted argument. He waved his hand: "No words, gentlemen—no words." I was scared. I thought he ought to have listened to them. He simply remarked: "They will want to see me worse to-morrow than they did to-day."

* This was less than a year after the Lawrence Massacre.

The next day I met him with a broad grin on his countenance; and his first words were: "Hallett has been to see me." "Well, with what result?" "I told him Mr. Perry was a positive man, and so was I. They will want to see me worse to-morrow than they did to-day." The next day, I met him crossing Pennsylvania avenue, and he said: "Perry and Hallett have been to see me, and I have their joint agreement in writing to locate the road to the bank of the river opposite Lawrence and Topeka; and I am just going to the telegraph office to send a dispatch to so locate it at Lawrence." The dispatch read:

WASHINGTON, June 13, 1864.

JOHN L. HALLETT, Wyandotte, Kansas:

The road is to be located as near the river bank opposite Lawrence as good depot grounds can be found. Survey and locate accordingly.

SAMUEL HALLETT.

Here follows the correspondence between Hallett and Lane, settling the whole question:

WASHINGTON, June 13, 1864.

Hon. J. H. LANE—Dear Sir: An inquiry into the wishes of the Government and all the facts in the case has induced me to adopt your suggestion in locating the main line of the Union Pacific Railway, E. D., so that it shall approach the Kansas river at the nearest practicable points opposite Lawrence and Topeka. I shall telegraph my brother to so make the location.

SAMUEL HALLETT,

General Manager U. P. Railway, E. D.

SENATE CHAMBER, June 13, 1864.

SAMUEL HALLETT, Esq.—Sir: Accept my thanks and those of my constituents for the determination you have reached, as communicated in your note of this day. This removes all obstacles to my

heartly and earnest co-operation with you in obtaining such legislation as is desired—acting with you at home in all things connected with the early completion of the Union Pacific Railroad and branches.

Yours,

J. H. LANE.

The two infant cities, Lawrence and Topeka, were entirely at the mercy of Hallett, as is shown in the desperate efforts necessary for their protection; and but for Lane, the cities or counties would each have been compelled to issue not less than a quarter of a million of bonds for the protection of their rights.

To help the enemies of Lane in their efforts to show his influence over Lincoln, I will here state the incontestable fact, that the original draft of the Union Pacific Railroad bill contemplated but one road from the Missouri river westward, the initial point to be selected by the President of the United States; and that this was an embarrassing duty put upon Mr. Lincoln, who would have been expected to favor Chicago in preference to St. Louis, and that largely to Lane's management, and the President's anxiety to unload a burthen, was Kansas indebted for the location of that great artery of trade upon her soil at all, including both the Kansas valley route and the Central Branch from Atchison.

One bright forenoon, about 10 o'clock, as I was walking down Three-and-a-half street, Washington, with him, Lane suddenly struck a stage attitude, and pointing his long bony finger to the sun, exclaimed: "That is the most important sun that has ever arisen upon Kansas. Before **that sun** goes down, an enterprise will

have been accomplished, which will bring untold millions of dollars to Kansas, and make her one of the greatest Commonwealths of the American Union." That afternoon the Pacific Railroad bill passed the Senate.

CHAPTER XXIII.

THE SECOND NOMINATION OF LINCOLN.

Early in this campaign, Mr. Lincoln recognized the necessity for an opening speech in the city of New York, and selected Lane to deliver an address at Cooper Institute. Happening to be in Washington, he invited me to accompany the party, among whom were Judge Edmunds and a very distinguished Methodist preacher, whose name I cannot recollect. Although the afternoon and night sat in with one of the severest storms I ever witnessed, the hall was well filled. The venerable Simeon Draper presided; and Gen. Lane made as acceptable a speech as Mr. Lincoln himself had previously made from the same stand.

At the suggestion of Mr. Lincoln, I hurried home from Washington, to aid in securing the election of Gen. Lane as a Delegate in the National Convention which was to assemble at Baltimore June 7, 1864, and to aid also in his selection as a Delegate to the Grand Council of the Union League, which was to meet on the day previous to the National Convention. The State Convention met April 21, and Lane was elected a Delegate. Subse

quently I was in the Union League Convention at Leavenworth, where he was elected a Delegate to the Grand Council, and I carried the credentials to him at Baltimore, and was myself a Delegate.

It was a terrible body in its malignity towards the President. Fortunately I am saved the attempt to describe it. That eminent statesman and author, Hon. W. O. Stoddard, who was Lincoln's Private Secretary, and who wrote a "Life of Lincoln," "Lives of the Presidents," and many other works, both in prose and poetry, has given its history most graphically, (see "Story of a Nomination," *North American Review*, 1884, Vol. 136, p. 263,) from which I quote :

The Grand Council assembled at an early hour, and its doors were sternly closed to all but those with absolute right to enter. The Grand Council was a dignifiedly simple gathering. There were no press reporters present. No brass band made music. No time was lost in preliminary or other organization, and no committees were required. The ample platform contained only three men—the Grand President and the Grand Recording and Corresponding Secretaries. There was all the more time for the transaction of business, and this began the moment the meeting was called to order. There had been both preparation and consultation among the intending assailants of the Administration. These arose to speak in rapid, but not in conflicting succession, in different parts of the hall. Perhaps the severest attack upon the President and the conduct of the war was made by one of the United States Senators from Missouri; but there were others whom he little surpassed in vehemence. The charges made were appalling, and it was well that their eloquent utterance was to form no part of the published proceedings of the Baltimore Convention. Had they been openly uttered in the convention, to go forth to the country, whether they were true or false, that body could afterward reached no peaceful agreement by ballot, nor could it have

adopted any platform of resolutions upon which it could have placed Abraham Lincoln before the people as a candidate for the Presidency. There were not many faults possible to the ruler of a free people whereof Mr. Lincoln was not accused, before the excited patriots made an end of their "speeches for the prosecution" of the public criminal whose course in office they were denouncing.

Once more it seemed as if a rising tide were sweeping all before it. Not a voice had been raised in defense of Mr. Lincoln. This may have been, in part, from lack of opportunity. The Grand President, Judge Edmunds, was a devoted friend of Mr. Lincoln, and yet, as if with malice aforethought, he sat there behind his desk on the raised platform, calmly "recognizing," as presiding officer of the Grand Council, only the known enemies of his friend, until it seemed as if most of them must have been heard.

There came a lull in the storm, and "Jim" Lane of Kansas arose, near the front, in the middle aisle of the hall. He was instantly recognized by the chairman; but he stood in silence for a moment, until he had deliberately turned around and looked all over the room. The substance of his remarks was nearly as follows:

"Mr. President, Gentlemen of the Grand Council: For a man to produce pain in another man by pressing upon a wounded spot requires no great degree of strength, and he who presses is not entitled to any emotion of triumph at the agony expressed by the sufferer. Neither skill nor wisdom has been exercised in the barbaric process. For a man, an orator, to produce an effect upon sore and weary hearts, gangrened with many hurts, worn out with many sacrifices, sick with long delays, broken with bitter disappointments; so stirring them up, even to passion and to folly, demands no high degree of oratorical ability. It is an easy thing to do, as we have seen this evening. Almost anybody can do it.

"For a man to take such a crowd as this now is, so sore and sick at heart, and now so stung and aroused to passionate folly; now so infused with a delusive hope for the future, as well as with false and unjust thoughts concerning the past; for a man to address himself to such an assembly, and turn the tide of its passion and excitement in the opposite direction; that were a task worthy of the highest, great-

est effort of human oratory. I am no orator at all; but to precisely that task have I now set myself, with absolute certainty of success. All that is needful is that the truth should be set forth plainly, now that the false has done its worst."

He had gained in a minute all that could be won in an audacity bordering upon arrogance. Rapid and vivid sketches followed, presenting in detail the leading features of the history of Mr. Lincoln's Administration. Each was made complete in itself, and at the end of each chapter came some variation of this formula:

"I am speaking individually to each man here. Do you, sir, know in this broad land, and can you name to me, one man whom you could or would trust, before God, that he would have done better in this matter than Abraham Lincoln has done, and to whom you would be now more willing to trust the unforeseen emergency or peril which is to come? That unforeseen peril, that perplexing emergency, that step in the dark, is right before us, and we are here to decide by whom it should be made for the Nation. Name your other man."

Very little time was wasted upon the general list of charges; for they had spent themselves in making; but a masterly picture of Mr. Lincoln's long-suffering, patience, faithful toil, utter unselfishness, and of the great advances already gained under his leadership, was followed by a sudden transfer of the thoughts of all to the scene in the great wigwam on the morrow:

"We shall come together to be watched, in breathless listening, by all this country—by all the civilized world,—and if we shall seem to waver as to our set purpose, we destroy hope; and if we permit private feeling, as to-night, to break forth into discussion, we discuss defeat; and if we nominate any other man than Abraham Lincoln, we nominate ruin. Gentlemen of the Grand Council of the Union League, I have done."

The Senator sat down, but no man arose to reply. His speech had not been a very long one, but it had been enough to accomplish all he had proposed for it. The resolution approving the administration was adopted with but few dissenting voices, many not voting. Another vote declared the voice of the Union League to be in favor of President Lincoln's re-election, and the greatest political peril then

threatening the United States had disappeared. Thirty days later, it would have been a hard task to find a man who would confess to having ever entertained a doubt as to that result; but then the delegates to the Grand Council were not in a position to make remarks or answer questions.

On adjourning the Convention, Judge Edmunds said: "Gentlemen of the Grand Council: The work of to-morrow is done. Abraham Lincoln is as certainly nominated to-night as if the vote of the National Convention were counted."

I was upon the floor of the Convention early, and occupied a prominent seat with the Ohio delegation. Lane, Judge Edmunds, and a distinguished Methodist minister, whose name I cannot remember, prepared some of the resolutions.

To me, it looked as if a good deal of the acrimony of the Grand Council seemed about to break out, and "discuss defeat." Gov. Stone, of Iowa, was expected to lead off for Lincoln, and he secured a prominent position with Lane near him—that is, the delegations of Iowa and Kansas—and there was no doubt of the determined effort to adopt the strategy of the previous night. When Stone arose, the storm commenced. Five years ago, I met him in the General Land Office at Washington, of which he was then Deputy Commissioner; and when I reminded him of witnessing his successful efforts for Lincoln, he grew eloquent in his recital of the crisis, and was especially complimentary to the Kansas delegation, remarking that, **above the uproar**, he could hear

the clarion voice of Jim Lane, exclaiming, "Stand your ground, Stone! stand your ground! Great God, Stone, Kansas will stand by you!"

As an interesting historical reminiscence, I think it may be safely stated that President Lincoln desired the nomination of Andrew Johnson for Vice President. I know that Lane was for him, and he was in such accord with Lincoln that he would not have run counter to his wishes. The late Hon. John Hutchings, just before his death, sent for me. In the course of conversation, he said, substantially: "Do you remember about a half dozen of us, in consultation with Lane, early in 1864, when the Vice Presidency was referred to, and the party, almost unanimously responded, 'Oh, Hamlin, of course;' but Lane said: 'No—Andrew Johnson. Mr. Lincoln does not want to interfere; but he feels that we must recognize the South in kindness. The nominee will be Andy Johnson?'" Lane was largely a factor in securing that nomination.

CHAPTER XXIV.

THE PRICE RAID AND THE POLITICAL CAMPAIGN OF 1864.

The Price Raid and the political campaign of 1864 were pretty closely connected—so closely that Lane's gallantry and efficiency in the former decided the latter; in fact, warded off a most fearful calamity.

About the first of October, 1864, Gen. Lane was in St. Louis. Perhaps his knowledge of the position of the enemy might have led him there for observation. He was perplexed over the political situation, unpopular nominations having been made for the State ticket in a canvass in which his re-election to the Senate was pending; and but for the Price raid and his noble actions in it, his defeat seemed inevitable. Whatever the cause may have been, he returned in great anxiety for the safety of Kansas, and boldly and energetically declared that Price's objective point was Kansas, and his purpose the destruction of Kansas City, Lawrence, Leavenworth, Fort Leavenworth and all its military stores; and his plans were to move inward, destroy Topeka, and plunder all the towns of Kansas, and supply his army with the products of her farms. Gen. Curtis was in

command of the district, headquarters at Fort Leavenworth, and Gen. Sykes was at Lawrence—an easy-going man, in the hands of Lane's enemies. Sykes was removed by Lane, as his enemies alleged, and his friends admitted, and those gallant leaders, Gen. Blunt, with Cols. Plumb, Moonlight and a host of men of iron will and undaunted courage, took the place of milk-and-water men in politics and nonentities in war. There were conspirators in those days, who would rather rule in the camps of the enemy than serve in the Union cause. They were active. They organized "a fire in the rear." Mercenary writers prepared articles denouncing Lane as an impostor; and when Gen. Curtis issued a proclamation declaring martial law, and ordering every man of Kansas into the field from sixteen to sixty years old, their conspiracy for a time threatened mutiny. A noted article published in the Leavenworth Times and Lawrence Journal, (not by either of the present proprietors,) entitled "How Long, Oh Lord, How Long?" was prepared by the conspirators and circulated with a view to prevent organization for defense. It alleged that Lincoln was deceived by Lane, whose tyranny was oppressing the people and eating out their substance. It denied that there was any purpose of invasion, and burlesqued "Lane at Hickman's Mills," an outpost in Missouri. The effect of that and other articles was to impede the army being raised to meet Price. They had emissaries as camp-followers, pleading the unconstitutionality of leading the Kansas militia across the State line.

They induced two regiments to desert. They absolutely, through their influence, halted the Army of the Union at the line of Missouri, while the timid were pleading for their lives not to be compelled to cross the border. But for that influence, the ravages of Kansas, the burning of barns, houses, hay and grain, if committed at all, would have been perpetrated in Missouri. There was no discount upon the loyalty of Gen. Curtis; but he was an old man, lacking in some degree the energy and endurance for the crisis, and the calumnies of the conspirators were heaped upon Lane as the leading spirit in that rally for the lives and property of all Kansas. The accusation stands as a truth of Heaven attesting Lane's loyalty, energy, love of his State and his country; and the vouchers in the archives of the State, still unpaid, for over \$400,000 worth of the property of the people, stand as an everlasting memorial of infamy against the men who thwarted the Union armies in their march, and a testimony to Lane for having saved the State. That he was the leader then, and wholly responsible, is the only case in which his friends and his enemies fully agreed. Gen. Curtis was an able man, a heroic soldier, a Colonel in the Mexican war, and well knew Lane's record for efficiency and ability. His commendations of him after the campaign showed he had made no mistake.

We make various quotations, showing the situation and the different views of citizens of all classes, in this trying crisis of Kansas history, with extracts from papers of the period :

From Rebellion Records, Series 1, Vol. XLI, Part IV, page 120.

CAMP AT SHAWNEE, Mo., October 19, 1864.

GENERAL CURTIS:

I arrived here this evening, and I find considerable restlessness among the troops. An impression is being created that all danger is over, and with some persons there are, in my opinion, efforts being made to dissuade the militia from crossing the line; and if there is a necessity to keep the Kansas men in the field, such impressions are calculated to demoralize them. The men generally say, as far as I have heard, that they either want to go into Missouri, or go home. I believe the removal across that scare-crow to some, "the line," would be greeted with hearty applause by a vast majority.

Excuse my presumption in addressing you, as you know I claim no knowledge of military matters, and I only write this because Major Charlott told me to-day that any impression that danger was over was not only false, but pernicious and dangerous.

JOHN SPEER.

INDEPENDENCE, Mo., Oct. 19, 1864.

GENERAL DAVIES: There is no earthly use of forces at Atchison, Why are they not pressed down? By whose order are they kept there? Did you arrest that Colonel, as I directed? You must not issue supplies to troops that evade my orders.

S. R. CURTIS, Major General.

Gen. Davies replied that he had sent after "that colonel," and would telegraph the Provost-Marshal for his arrest.

From Reb. Rec. Series 1, Vol. XLI, Part IV, page 117.

FORT LEAVENWORTH, Oct. 19, 1864

Major General CURTIS, Independence:

Lieutenant Wheeler thinks Gen. Sherry will obey orders from you, and so will his men, and will undoubtedly if it comes through Major General Deitzler. I have ordered 5,000 blankets and 5,000 shelter tents turned over to Captain Seelye. They leave on the Benton at daylight, with forty tons of commissary stores. Col. Wheeler will go down in the morning.

S. S. CURTIS, Major and Aide-de-Camp.

INDEPENDENCE, Oct. 19, 1864.

HON. SENATOR POMEROY, Kansas City or Wyandotte:

General Davies informs me there are 1,650 troops at Atchison sending for supplies. I wish you would find out the cause of this outrageous delay. I have just received a dispatch from St. Joseph informing me that the rebels evacuated Carrollton yesterday, and went toward Richmond, Ray county, and eastward. There is no ground for scare, [at Atchison,] and I suspect political folly has induced this effort to keep back troops. I hope you will denounce it everywhere. The scout who separated from Major Smith going south has come in. He reports all the rebel bands are called in to help fight. Price is near Waverly. If he whips or is successful, we ought to be ready to meet any movement this way.

S. R. CURTIS, Major General.

In the same pages are orders to Captain R. J. Hinton to bring in colored troops from Leavenworth, Wyandotte and other points; and also commands to farmers within a radius of ten miles from Lexington, on the south side of the Missouri river, to bring in supplies of hay, corn, etc., and deliver to B. F. Simpson, chief Quartermaster; and ordering all male persons, black and white, from the ages of fifteen to sixty, into the defense.

When these attacks were being made, where was Lane, and what was he doing? "Where is Price?" was his inquiry; and he was taking the most practical way to find out; and he had "felt" him two days before the thrust of these enemies had been uttered.

The same day, Gen. Curtis sends a message to Gen. T. J. McKeon, Paola, Kansas: "The Pawpaws have gone to the brush, and we expected that." The Pawpaws were generally the enrolled Missouri militia, bushwhacking Union soldiers on Government pay.

The preceding show the general apprehensions of danger, as well as confidence in Gen. Lane.

From the Kansas Tribune, Nov. 2, 1864.

The Leavenworth Times teemed with articles denouncing Curtis and trying to break up the army. Its thunders were denounced against Lane as Curtis' adviser.

The Journal [Lawrence] had articles ridiculing the idea that Kansas was in danger. See its Weekly of October 20. Its leader asks, "Where is Price?" and reiterates, "Where is Price?" and again, in mock agony, exclaims, "Where is he?"

Does any man doubt, that without the call for the militia, Kansas would have been burned over? Would there have been a house left in Lawrence? Think of the sufferings in Linu county, where Price passed over in flight with an army in hot pursuit, and seriously ask yourself, reader, what would have resulted from the victorious tread of the rebel hordes over all Southern Kansas? Our citizens have been raising contributions for women and children left destitute even of bedding?

Who saved us? Our opponents say Lane did; and so far as Lane's influence went in calling out the militia, it is the only truth they ever told of him. Hear the Journal of the 20th October, [1864:]

"We pity the Grim Chieftain, now at Hickman's Mills, searching for an opportunity to get up a bogus reputation, if Price has actually fled. He [Lane] CAME FROM THE EAST VERY MUCH ALARMED—ACTUALLY SCARED. He went to the Fort—Sykes was removed. Called upon the Governor for militia, martial law declared, militia called out—he appointed Aide-de-camp."

If his slanderers ever told the truth, how happy for our glorious State, that "he went to the Fort!" How happy that the effect of his his going to the Fort [Leavenworth] resulted in "calling out the militia!" To those glorious and gallant militia, thus called out, are our people indebted for the salvation of the State.

The Journal further, in the same article, uses this language:

"Our militia have been to Lexington, [Mo.,] and have scoured the country from the Kansas border to that locality. No force of the

enemy can be found. He is not anywhere in that region. All the stories we have heard [from Curtis and Lane] have turned out to be great exaggerations. Wherever our militia go, whether at Independence or Lexington, they find that a big scare appears to have existed on a very slight foundation."

Thus much for the efforts at home to call back the militia.

Think of the peril! The epitome in Wilder's *Annals* speaks thus:

October 20, 1864. Engagement at Lexington, Mo., and retreat to the Little Blue.

October 21. Battle along the Little Blue; fall back to Big Blue, six miles east of Kansas City. Price and his whole army engaged.

October 22. Battle of the Big Blue; Union victory. . . .
Citizens of Kansas [mostly militia] now under arms estimated to number 20,000.

October 23. Battle of Westport. Defeat and retreat of Price. Col. Moonlight moves down the Kansas border in advance.

October 24. Near West Point the rebels come into Kansas, in Linn county, and camp at the Trading Post, on the Marais du Cygne—historic ground.

October 25. The Rebels driven from the Trading Post. On the north bank of Mine Creek, Price, Fagan and Marmaduke, with 15,000 men, form a line of battle. Kansas meets and routs them, the Rebels falling back in wild disorder. Generals Marmaduke, Cabell, Slemmon and Graham captured. McNeal puts them to flight in Bourbon county, and they run from Kansas. Gen. Curtis rescinds martial law.

When the attacks were being made on Lane, where was he, and what was he doing? His inquiry, too, was, "Where is Price?" and he was taking the most practical mode of finding out. Here is one of his ways:

LAWRENCE, Oct. 10, 1864.

Major CHARLOTT, Fort Leavenworth:

Have any news?

J. H. LANE.

And instantly the reply came back, tick, tick, tick:

FORT LEAVENWORTH, Oct. 10, 1864.

No news. Can't get any connection east of Independence, [Mo.,] since last evening 5:30 o'clock. All actively preparing for a forward movement. Blunt left for Olathe last night at 6 o'clock.

C. S. CHARLOTT, Major and Assistant Adjutant General.

To a man who had seen the rebels around Independence, this was a volume of news. To Lane's enemies who couldn't find Price, it had no meaning at all. To Lane, it meant that the rebels were in the brush cutting telegraph wires, preparing the way for Price, and that Blunt was on the alert to meet them.

Here is a note of great significance:

COLONEL ANTHONY, Leavenworth:

Your paper speaks of 3,000 being ready in the city. Do not give clue to numbers. If anything be said, talk of 25,000 or 30,000. We must depend a good deal on bluster till we get stronger than we are. The whole enrollment of militia in the State is over 23,000.

S. R. CURTIS, Major General.

It would be interesting to read the Colonel's next paper; but the presumption is that he didn't fail to "bluster." Anthony was true as steel.

Eight days after Lane's inquiry for news, Lane was at Lexington, inquiring for Price, and here is what he said: From the Kansas Daily Tribune, Oct. 21, 1864.

LEXINGTON, Mo., Oct. 18, 1864.

DEAR FRIEND: I have been with Gen. Blunt and his gallant little army on one of the most rapid marches on record. When we left Hickman's Mills, we supposed we would strike the head of Price's column moving westward either at Pleasant Hill or Warrensburg. The march from Hickman's Mills to Pleasant Hill, eighteen miles, was made from 7 o'clock p. m. to 12 p. m., Sunday night. At Pleasant Hill we learned Price had captured Sedalia, and was moving on Warrensburg; we immediately marched on the latter place. On

reaching Holden, fourteen miles from Warrensburg, we learned that the column which captured Sedalia had marched for this place. We left Holden at 9 o'clock last night, reaching here at 2 o'clock p. m. to-day, driving out a band of guerrillas headed by Todd and Poole, killing two and capturing four. The whole country between Holden and this place is swarming with guerrillas. We tracked them on the route. Price is undoubtedly moving on this place, by the way of Waverly and Dover; and if he is successful in obtaining a foothold here, I will feel that our noble Kansas army is in imminent peril. Our best and only plan is to whip or turn him south before he reaches this point. Blunt is maneuvering admirably, and will fight against odds to accomplish this object. God give him success. The citizens here tell me that Todd and Poole started for Kansas with three hundred cut-throats day before yesterday, and returned to-day, declaring that every man and boy in the State was on the border with a gun in his hand, and they were unable to get through. Our people cannot be over-watchful, and the place to watch is on the border in this State. Gen. Curtis and Gen. Grant are both wide-awake to this danger, and I do hope it may be averted. A very few days longer will decide our fate. We have able leaders, brave troops and noble militia, who deserve to win, and I fondly hope will. LANE.

While Lane and Blunt were in the battle of Lexington, their enemies were exultingly taking satisfaction at Shawnee, in the following manner—all because they were unable to find Price :

From the Kansas Daily Tribune, October 22, 1864.

At Shawee thirty or forty persons got together and burned Lane in effigy, and took a jack from Mr. Choteau's farm, and paraded it with Gen. Blunt's name on it. A goodly portion of these men deserted the same night.

Of Lane's services, Gen. Curtis makes this honorable mention in his report :

Hon. Senator Lane, of my volunteer staff, took an active and prominent part in the conflict and displayed much courage and gallantry

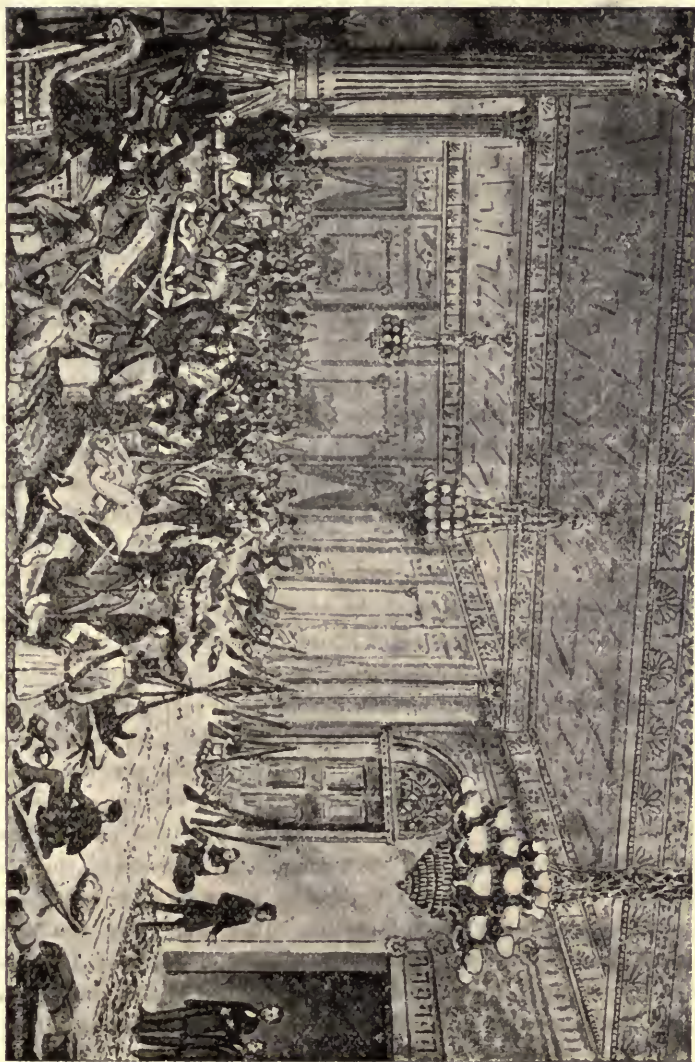
under the fire of the enemy. . . . Senator Lane's experience in former campaigns in Mexico and upon the Kansas border, enabled him to be of much service in the field everywhere.

These were no times for dissensions; and the intelligent reader will mark the contrast between Lane and his assailants: the one energetically and uncomplainingly pursuing the enemy in his own country, determined that rebels, led by Missouri leaders, must fight their battles on their own soil—that the devastations of war be made to come home to the aggressors, rather than to the innocent defenders of their homes in Kansas. Read the dignified, intelligent report of Gen. Lane to his superior officer:

REPORT OF HON. J. H. LANE, VOLUNTEER AIDE-DE-CAMP.

In compliance with your request that I report to you the part I took in the recent campaign against Major General Sterling Price, and what facts came under my observation during that campaign as volunteer Aide-de-camp upon your staff, I have the honor to report the following:

On my arrival at Fort Leavenworth from Washington City, by way of St. Louis, I found you absorbed in preparations to resist the invasion of Kansas by the rebel army under General Price, which was then marching through the State of Missouri intact, gathering strength day by day as it approached our border. The military force of the department having been rapidly concentrated in the eastern portion of the State, comprising volunteers and militia, all under the immediate command of Major General Blunt, I reported to you at Olathe on the 10th of October and entered at once upon duty. From the 10th to the 14th I was employed with others of your staff, under your personal direction, in selecting position and making dispositions of troops along the border and on the Blue, visiting, for that purpose, Wyandotté, Kansas City, Independence and Hickman's Mills. At this point, Gen. Curtis directed Gen. Blunt, with the brigades of Col



BIVOUAC OF GEN. LANE'S COMMAND IN THE EAST ROOM OF THE PRESIDENT'S MANSION.
SEE CHAPTER XVII, Page 238.

Moonlight and Col. Jennison, to move eastward until they found the enemy, and to learn the exact position and line of march which had hitherto, from all information obtainable from any quarter, been but mere conjecture, with instructions to harrass and impede him in every possible manner, at the same time ordering me to accompany the expedition, while he returned to Wyandot, to superintend the further organization of his army. Acting upon the information received of the capture of Sedalia by the enemy, and supposing him to be marching upon Warrensburg, Gen. Blunt moved in that direction, leaving Hickman's mills after dark, and making a march of thirty miles the night of the 15th, to Pleasant Hill. Between Pleasant Hill and Holden, we met two hundred or three hundred Missouri militia falling back from Warrensburg, who joined our force and were engaged in the further operations of our detachment. At Holden, receiving definite information that the column that had destroyed Sedalia had moved north toward Lexington, Gen. Blunt at once determined to move direct to Lexington, with the hope of reaching it in advance of the enemy, with a view of saving the Government property. Arriving here, we found the town evacuated by our troops, who had taken away the greater part of the public property, and the bushwhackers, under Poole, in possession of the place. Col. Moonlight was ordered to charge, which he did gallantly, driving out the enemy, killing and wounding some, and taking several prisoners.

Gen. Blunt established headquarters in the town, and made such disposition of his force as would best defend the several approaches to the place, and awaited the approach of the enemy, whose advance was then but a few miles distant. At 1 p. m. of the 19th, the head of Price's column struck our force under Col. Jennison on the Waverly road. Col. Moonlight was ordered to move at once to the scene of action, Gen. Blunt and myself preceding him. The two brigades, then consolidated, were disposed across the road from Lexington to Independence. By the stubborn fighting and skillful management of the troops, Gen. Blunt held the enemy for five hours, falling back slowly at night down the Kansas City road; not, however, until almost surrounded and enveloped by the vastly superior number of Price's advancing columns, which pursued us closely for seven miles.

to the Little Blue. On the morning of the 20th we took up a position on the north bank of the Little Blue, determined to dispute the passage of that stream with all our force, while I was dispatched to Gen. Curtis, then at Independence, to inform him of the position of affairs. I found Gen. Curtis at Independence, having formed his forces on the Big Blue, and being engaged in fortifying the fords on this stream, determined to make his final stand on that line. He then ordered all of Gen. Blunt's force back to this position, except Col. Moonlight's brigade, which was left with orders to burn the bridge and delay the enemy as long as possible at the Little Blue. About nine o'clock on the morning of the 21st, information reached us that the efforts to burn the bridge on the Little Blue had failed, that the enemy was forcing the passage of the river, and were engaging Col. Moonlight; Col. Jennison's brigade and Col. Ford's brigade, including McLain's battery, were at once ordered forward under Gen. Blunt, Gen. Curtis following quickly after and superintending movements on the field. The engagement here was severe and desperate, the troops fighting with courage and dauntlessness creditable to veterans. The commanding General, assisted by Gen. Blunt, who seemed everywhere present, the bravest of the brave, was constantly under fire, directing movements and inspiring by his own example his greatly inferior force, till, flanked and threatened with annihilation, he fell back from ridge to ridge, fighting at Independence until dark, when he crossed the Big Blue, establishing headquarters for the night on the north bank, on the road leading to Kansas City, the enemy meanwhile going into camp at Independence.

On the morning of the 22d, the enemy commenced demonstrations at the different fords along the stream, but was stubbornly resisted at all points. His superior numbers, however, enabled him at length to force a crossing at Byron's Ford, but his advance was sharply resisted back to the vicinity of Westport, when, night coming on, our main force was withdrawn to Kansas City, and placed in line of battle, leaving a sufficient force in the neighborhood of Westport for observation. During the night, we learned from prisoners and other sources, that Price, with his entire army, estimated at 35,000 men, was upon us, intent upon the capture of Kansas City and Leaven-

worth, and the devastation of our State, and that Pleasonton with his cavalry was close at hand. At daylight all the troops were moved forward to Westport and put in line of battle, where Col. Moonlight and a portion of the militia were engaging the enemy. The fight soon opened along the whole line; and, while unabated, the welcome sound of Gen. Pleasonton's artillery was heard thundering in the rear of the enemy, which was soon followed by a courier from Gen. Pleasonton himself confirming our hopes and reassuring us of present help. Immediately upon the receipt of this intelligence, Gen. Curtis ordered a charge along the whole line, in which all participated, from commanding General to soldier, the volunteers and militia charging with great impetuosity amid cheers and shouts. The enemy, at first resisting with desperate determination, soon began to waver, gave way slowly and doggedly, but at length, broken by the reckless resistance of our troops, and terror-stricken from the sound of artillery in their rear, turned their faces southward and fled precipitately. The enemy beaten, disheartened and flying, the pursuit was taken up, Gen. Blunt's division in front, and was continued for fifteen miles to Little Santa Fe, when night ended the day's operations. During the pursuit, about ten miles from the battle-field of the morning, Generals Curtis, Pleasonton and Blunt met for the first time at the farm house of Mr. Thomas, and the plan for pursuit was freely discussed. Gen. Pleasonton was desirous to make a detour to the left by the way of Harrisonville. Gen. Curtis insisted on massing the command and pushing the pursuit, which was finally agreed upon. The following morning the pursuit was resumed by the combined forces of Curtis and Pleasonton, except McNeil's brigade, which came up during the march, Gen. Blunt still in the advance, Gen. Curtis having assumed command of the whole force.

At West Point, the pursuit still continuing, the order of march was changed, owing to the exhaustion of Gen. Blunt's men, and that portion which had fought at Lexington, not having tasted food for days, Gen. Pleasonton's division was placed in the advance, Gen. Blunt having meanwhile detached Col. Moonlight's brigade to operate on the right, and for the protection of Olathe, Paola, Mound City and Fort Scott, on the Kansas border. In this order the march was con-

tinued during the night to the Trading Post, while our column came up with the enemy about 1 o'clock in the morning. He at once took up his flight, leaving behind him wagons, provisions and plunder of every description, and was hotly pursued by our advance to Mine Run, where he made a stand, and was beaten, with the loss of one piece of artillery. At the Osage, he made another stand, and was again beaten, losing seven guns and many prisoners, among whom were Generals Marmaduke and Cabell.

At Charlotte, near Fort Scott, he was again beaten. At this point, Gen. Pleasanton, deeming rest and sleep necessary to his command, withdrew to Fort Scott, (against the earnest protest of Gen. Curtis, who sternly insisted upon camping on the trail of the retreating foe,) and from there returned to St. Louis. On the following morning, Gen. Curtis resumed the pursuit, and at night camped at Shanghai, and the next day, the 27th, his force reached Rouse's Point, about 2 p. m., where, being relieved from further duty, I left the army and returned home.

The foregoing is a brief resume of what I saw and participated in during these eventful days.

I cannot close this report without expressing the thanks of the people of Kansas for the gallant defense made of our State. Devastation, ruin and rapine threatened our border towns; an insolent and hopeful foe had placed himself, almost without interruption, within a day's march of our chief city; his avowed purpose was to sack and burn wherever he touched our soil. He was met, checked, beaten back, and finally put to route by the skill and energy of the commanding General and the indomitable, persistent and dogged fighting of volunteers and militia. It would be impossible to mention particular instances of meritorious conduct, where all did so well, without a seeming injustice to some, and I therefore reluctantly refrain from doing so. The States of the great Northwest, whose troops participated in this brief but important campaign, have added another to the long list of brilliant achievements won by them during the war. To the militia of my own State, who sprang to arms with the alacrity of other days, at the approach of the foe, I will be permitted to tender special thanks. Going out without the hope of fee

or reward, some have fallen, others have been maimed for life, while all have testified their devotion to the common cause, and their love for our gallant young State; to one and all of these, let us be ever grateful.

Respectfully submitted.

J. H. LANE.

MAJOR C. S. CHARLOTT, Assistant Adjutant General.

When the campaign against Price had ended, the election of all the Republican State officers was practically settled. Lane's enemies elected him. He was absent when the nominations for State officers and member of Congress were made; but whether absent or present, all the mistakes of nominations were laid to him. On the contrary, the opposition had selected a strong ticket. It may be said, without disrespect to the nominees, that much fault was found with the two candidates who headed the Republican ticket, Hon. Samuel J. Crawford for Governor, and Hon. Sidney Clarke for Congress. Lane himself thought that some of the nominations were very unfortunate, and was much discouraged, though he had little to do with making them, and was opposed to that of Clarke.

The opposition ticket was formed by a few bolting Republicans who assembled one week after the regular convention. The Democrats met the same day, and by a compromise, through the passage of resolutions which they construed as reflecting on Lincoln's Administration, agreed to make no nominations, but to support what they called the Anti-Lane ticket.

When Lane assured himself that Gen. Price was advancing upon Kansas, his energy renewed as danger approached. He dropped all political work, and put

his whole soul into organizing for battle. Not a word did he utter publicly on politics. Every political consideration stood in abeyance at the appalling condition of his State.

Gen. Curtis had before shown no bias in his favor, and Curtis' conservative temperament would not naturally have made them warm political friends; but when danger approached, Curtis knew his patriotism and warlike efficiency would at once make him useful, and he immediately placed him upon his staff. Then was Curtis denounced as an imbecile under Lane, and even General Rosecrans said he "knew Jim Lane well; and he was running the machine." After Price had fled, they shocked the moral sense of the people by representing Lincoln as a weak man used by Lane; and one of their leaders was rash enough to publicly declare that the Administration of Lincoln, in its war policy, was more tyrannical than that of Jefferson Davis.

These things strengthened Lane. He saw his opportunity, and made the most of it. He believed that, by a little strategy, he could be elected Senator unanimously. It was contrary to his nature to be quiet, and he made a most vigorous campaign. His melancholy mood had left him, and the canvass which he made, quick, bold, defiant, had scarcely ever been paralleled. When the election came, out of the one hundred votes then in both houses, he received 82, to 16 aimlessly-scattering, and 2 not voting.

CHAPTER XXV.

SENATOR INGALLS ON LANE—LANE'S SOUTHERN EXPEDITION—THE HENDERSON AMENDMENT.

Perhaps in all the catalogue of Lane's assailants there has been no man so caustic, severe and bitter in his criticism and his charges as Senator Ingalls. We regret this—regret it, because, in our admiration in common with the American people of the man, it compels us to attempt the refutation of charges which we consider untenable and incorrect, made by a statesman who has held the most exalted parliamentary position in the world—that of President of the United States Senate. His eminence makes the refutation the more essential. We cannot pass them indifferently by. We might as well burn all the three hundred pages already in print, and admit the historical accuracy of Mr. Ingalls statements as far as they go. We are forced to this attempt, and compelled to admit, in all sincerity, that we wish it were in better hands. We hope we shall be able to say what we may in courtesy, truthfulness and sincerity.

We have, however, the advantage over Ingalls of personally, intimately knowing General Lane from his first

entrance into Kansas till the day of his death, while Mr. Ingalls, except as a public man, scarcely knew him at all.

Senator Ingalls says that "had he been running for office in Hindostan, he would have thrown his offspring to the crocodiles of the Ganges, or bowed among the Parsees at the shrine of the Sun" for success. It is fortunate for his reputation that he was not a Hindu, but a plain, common-sense American citizen, in which capacity he was amply able to sustain himself through a life of consistency for over fifty years, changing only when Grant and Logan and Butler and hosts of other great Democrats changed in following the American flag when the institution of slavery demanded its surrender. It was his boast that he made a Democratic speech at the age of thirteen years, and never scratched a Democratic ticket until the Kansas Legislature resolved that it was treason to Kansas and the South to have a Democratic party in the Territory, and left no Democratic ticket to scratch; and to the day of his death he never attempted to leave the party of his choice in the Kansas struggle.* What more would the consistent Senator have had him do? In the tergiversations of politicians in Kansas, where will he point us to a better model of an earnest, consistent political life?

In 1862, Gen. Lane conceived the idea of what was

* In Chapter XXVI, on "The Causes of General Lane's Death," we have given our view on his vote to sustain President Johnson's veto of the Civil Rights bill, so censoriously criticised at the time.

known as "Lane's Expedition." His plan was to march through the Indian Territory, with a cordon of troops which would draw the enemy from the east, and invest Texas by sea and land. Major General Hunter would be his superior, but Lane believed he had so arranged with Hunter that he would be unembarrassed and free to use his own judgment and to form his own plans.

Lane's antagonists call his power that of "magnetism." Cicero said all great men were in some degree inspired. Rev. Lyman Beecher, after being persuaded, against his religious opposition to theaters, to witness the performance of "Uncle Tom's Cabin," being asked what he thought of it, replied, that he believed his daughter was inspired to write it, if the devil did dramatize it. And yet here is a man who, seizing the opportunities of his time, did more than any man living to stay the tide of tyranny overrunning Kansas, whom Senator Ingalls pronounces a Captain Bobadil in war and a Rittmaster Dugald Dalgetty in peace. Let us try him as a Wizard of Endor on Ingalls.

Before his plans were thwarted by Gen. Hunter's jealousy, Ingalls was probing him occasionally in the State Senate, till he got Lane's ire up. He said: "I'll bring John. I go to Atchison." He went—went with all the faith of Luther when he declared he would go to Worms if there were as many devils in that city as tiles on the roofs of the houses. Atchison had beaten him just previously, when he had one eye on something else, and to him it was doubtful whether Atchison or

Worms had the most devils. But he brought him, as if by magic.

I have read a story of the works of a magician at Benares—that city so old that agnostics quote its antiquity to disprove the authenticity of the scriptures. A party of gentlemen were admiring the wonders of nature and of art in its suburbs, when a magician appeared, giving evidences of his art so tame that they became disgusted, and one of them told him in Hindu to go away. His eyes flashed as he asked if they wanted him to leave. “Yes; any boy in Benares can beat that.” He then asked them to please stand in positions as he placed them, and by his wonderful magic illusions he raised a rock weighing thousands of tons ten feet in the air, its sands and gravel dripping from its edges. I have seen a hypnotic take a man and stand him up, open his mouth and tell him to say no when he wanted him to say aye, and hold him helpless in that condition, exclaiming “Aye, aye.”

Lane beat both these feats at Atchison. He told the people of Atchison of the glories of Lane’s Expedition; how 20,000 to 30,000 troops would be transported over their new railroad, furnished and provisioned at Atchison; how he would build a fortification, with its great guns frowning over Missouri; how a railroad and telegraph line would be necessary to the gulf; and he painted Atchison redder* than Benares was when she

*The houses of Benares were painted a brilliant red.

was furnishing Solomon with his peacocks and his apes and his gold for the ornamentation of his temple, till he lifted Atchison swinging in the air like the vision of a mirage upon the Western prairies, all its inhabitants yelling and screeching and screaming for "Lane and his Southern Expedition!"

Just then, Senator Hi. Sleeper offered in the Senate at Topeka the following resolution :

Resolved, That we most earnestly recommend to the President of the United States the immediate appointment of Gen. James H. Lane as a Major General, and that he at once be assigned to the command of the contemplated Expedition South of the Department of Texas.

Lane barely took breath in view of his Atchison triumph, till he waved his magic wand in the direction of Topeka, sixty miles away, gave an electric touch where wire never was stretched, and by some power unknown to common mortals, raised Senator Ingalls from his seat and swayed him and held him, till he yelled "No, no, no, no,"—four times—on amendments proposed to kill the resolution, and then Lane said, like other hypnotics, "Right, right—presto, change!" and he controlled him again, commanding him to say aye, and he yelled "Aye!" "And so the resolution passed :"

AYES—Messrs. Broadhead, Curtis, Essick, Holliday, Ingalls, Keeler, Lambdin, McDowell, Osborn, Phillips, Sleeper, and Spriggs—12.

NAYS—Messrs. Burnett, Denman, Gunn, Hoffman, Hubbard, Lynde, and Reese—7. (See Senate Journal 1862, pages 67-70.)

Thus we see the eminent Senator voting to place Senator Lane in a position which the President considered essential to the salvation of the Union—a man who "in

arms was a Captain Bobadil, and in politics a Rittmaster Dugald Dalgetty.''' What malice aforethought could he have had against that great man who was then wrestling with all the weighty questions of statesmanship and war, to attempt to thrust upon him a harlequin with no capacity to command and no ability to negotiate? What enmity could he have had against the brave men imperiling their lives to save their country, that he should attempt to put them under the command of a hair-brained adventurer with no capacity to lead?

It is but just to the Senator to say that he cast that vote only at the urgent solicitation of his constituents; but that all the more illustrates the versatility of Lane's genius. We are trying to convince our readers that Old Jim was rather a smart man.

Lane left his seat in the United States Senate, proposing to resign his place in the highest parliamentary body in the world; imbued with an exalted patriotism, he left the chair of comparative ease and comfort for the tented field of danger, disaster, and probable death. He proposed to penetrate the wilderness in an expedition to the gulf only second to Sherman's from Atlanta to the sea. When Gen. Hunter issued a proclamation that he would take command of the expedition himself, there was no possible course for Lane to pursue in self-respect but to return to his seat in the Senate. What might have resulted is but conjecture; but as he had revelled in the Halls of the Montezumas, so might he have revelled in that island-gem of the sea, Galveston, and camped

his hosts in the haunts of the Baratarian pirates ; enrolled ten thousand slaves under his banners, called the noble Texan back from the Eastern battle-fields, engaged Price in Texas, and sent the book-worm in search of history on Price's campaigns and depredations to the archives of Austin instead of to Topeka.

Senator Ingalls, in his article in Harper's Magazine of April, 1893, says : " He gained the prize which he sought with such fevered ambition ; but, after many stormy and tempestuous years, Nemesis, inevitable in such careers, demanded retribution. He presumed too far upon the toleration of a constituency which had honored him so long and forgiven him so much. He transcended the limit which the greatest cannot pass. He apostatized once too often ; and in his second term in the Senate, to avoid impending exposure, after a tragic interval of despair, died by his own hand."

This is a most unjust accusation. It not only accuses the man whose voice is silenced in death, where no accusation was ever formally made, but it implies frequent acts of dishonor. No public accusation was ever made against him, either in court, in Congress, in the Senate, as Lieutenant Governor, or in any other official capacity. No charge was ever made, no resolution of inquiry ever offered, in any of the numerous bodies in which he acted. He led two regiments in the Mexican war. No charge was ever made—no court-martial ever suggested. Malice had done its worst in the heat of political excitements ; but never did any public man dare to put a

charge against him in official form. Many public contributions which were made to the sufferers in Kansas were stolen; no accusation was made against him. Thousands upon thousands of fraudulent bonds were issued. He never owned, or handled one for a client.

No Senator has ever been his superior in influence with the departments; and no other Senator ever did so much for Atchison as Senator Lane. This is no reflection upon Senator Ingalls, because, in the eighteen years of his service, no such opportunity presented itself; but Lane is entitled to much credit and the everlasting gratitude of Atchison for generously seizing the opportunity and accomplishing the most important results.

The writer heard the whole debate in the United States Senate, day after day, on the Union Pacific Railroad bill. The debate upon the celebrated Henderson amendment, but what was more properly the Sumner amendment, was a motion by Senator Sumner to strike out Atchison and insert St. Joseph as the initial point for what afterwards became the Central Branch Union Pacific, with a view to making a straighter and shorter line westward from St. Joseph than could be made by a divergence from the western terminus of the Hannibal and St. Joseph Railroad by way of Atchison. This could only be done by changing the grant of subsidies from the Atchison and Pike's Peak Railroad Company to the St. Joseph and Denver Railroad Company, amounting to \$16,000 per mile. Senator Henderson of Missouri was intensely interested in it, and the amendment took his

name. The question was debated by several Senators on the merits of the shorter route; and Senator Pomeroy made a strong speech in support of Atchison. But the tide was against him.

In this debate I sat in the gallery by the side of Hon. James F. Legate, who occasionally punctuated the debate with appropriate whispered remarks. As the Senate seemed about to take the vote, Legate said: "Old Pom.'s gone up. That's a terrible blow. It almost strikes Atchison from the map of Kansas." There did not seem a doubt of the result. There was a lull in the Senate. Lane had not spoken a word. Nobody knew that he desired to speak. As he seemed to make a slow movement in his chair, Legate quickly whispered: "Old Jim's going to speak! Old Jim's going to speak!" He arose slowly, looked all around, and soon struck out on a new line which fairly startled the Senate, by informing that staid body that he could no longer hold his peace and see the Senate unwittingly voting \$16,000 per mile to a gang of incorporated rebels whose hands were red with the blood of Union men! In the midst of his fiery demonstration, Legate nudged me, remarking: "He thinks he is at Baldwin City!" The debate went on, Senator Henderson taking a prominent hand in it, till some of the Senators wanted to know whether Missouri and Kansas could not fight their battles in some other place. I can only give space to quote from Senate proceedings in Congressional Globe of June 20, 1862:

Mr. Lane, of Kansas. The charter to which the gentleman [Sena-

tor Henderson, of Missouri] alludes was granted while Kansas was controlled by the fillibusters of Missouri. Jeff Thompson obtained this charter when the fillibusters of Missouri controlled, by fraud and villany, the Legislature of Kansas.

Mr. Sumner. Does it go back to that time?

Mr. Lane, of Kansas. Yes, sir, so I am informed. There is another remark I have to make. When my heart ceases to beat, and not until then, will I permit any gentleman, here or elsewhere, to state that Kansas is to be compared with Missouri in the outrages she has committed. In 1855, 1856, 1857 and 1858, the outrages were all upon one side; Kansas acted exclusively upon the defensive; and I defy that gentleman or any other gentleman to point to any body of Kansans who ever invaded the territory of Missouri or stuffed her ballot boxes or attempted to do so. We have, in discharge of our duty to the flag and the country, marched into Missouri by orders of the Government to crush out rebellion, since the commencement of this struggle. Never before did Kansas invade Missouri. And I take the liberty here of saying, that the charge preferred recently by the Governor of Missouri against the troops of Kansas, in his message to a convention of that State, of which the Senator was a member, is false and slanderous, unjust and disgraceful to him as a man and as a Governor. The troops of Kansas marched into Missouri for the purpose of crushing out rebellion, and did nothing but what was necessary in the discharge of their duty and in obedience to orders to crush out such men as Jeff Thompson, and those who have ruled and would still control the destinies of St. Joseph. To-day the Senator from Massachusetts is endeavoring to aid a town in Missouri at the expense of a Kansas town that has to be kept in subjection by an army of the troops of the United States; to discriminate against loyal Atchison in favor of disloyal St. Joseph. That is the position which the Senator from Massachusetts occupies to-day; and I do deeply regret it, for I know that he has been as true to the interests of freedom and to Kansas as any Senator upon this floor. I know, Mr. President, that the noble defense of that Senator upon this floor well nigh cost him his life.

That whole speech would be good reading now. It was a remarkable speech to be made in that staid, conservative, dignified body ; but it was listened to with the most profound attention, and not without manifestations of approval from the galleries. Gen. Thomas Ewing, then a citizen of Kansas deeply interested in Kansas affairs, pronounced it the most effective speech he had ever heard in the Senate. We hesitate not to say, considering the struggling infancy of the city and the State, that it was as good a speech as ever was made for the interests of both of them.

And that, too, for a city, which, not long before, had sent a committee to notify him that he would be murdered if he undertook to make an "abolition" speech in Atchison. The committee did not want to kill him ; they were for peace ; but they tried to persuade him to secure peace at the sacrifice of the freedom of speech. He requested the committee to notify the people that he always fulfilled his appointments, would be promptly on time, and Atchison would have to be responsible for results. He did speak successfully.

It is a historical fact, that, in 1864, out of gratitude—we know no other reason—many of the better class of these Pro-Slavey men supported him, notably Gen. B. F. Stringfellow ; and that he carried Atchison county almost unanimously, against an unnatural conglomeration of politicians, for the United States Senate.

CHAPTER XXVI.

THE CAUSES OF GENERAL LANE'S DEATH.

There have been many conjectures. The immediate cause was insanity. There was not a doubt of that. He had premonitions of it himself, and suggested to Mr. Frank Adams that he ought to be taken to an asylum for the insane. An overworked brain brought it on.

One of the things which troubled him greatly was the condemnation by his friends of his vote to sustain President Johnson in his veto of the civil rights bill. He explained his reasons to me for that vote, at Washington, a few days after he cast it; and they were mainly his ardent desire to conciliate the President with the Republican Congress; but he remarked, with a very sad expression of countenance, that he had exhausted every resource of his nature, and could not move him.

Another trouble of his mind was on charges of having an interest in a contract or contracts with the United States Government, which was a serious charge against a Senator. He denied utterly its truth. An article had been published in the Chicago Tribune attributing such an offense to a Senator, without naming him; and an-

other article, editorial, in the Boston Commonwealth, which he showed me, stating that Lane of Kansas was the Senator referred to. Lane had ascertained that Col. Wm. A. Phillips was the author of the Tribune charge, demanded his authority, and was given the name of Col. George W. Deitzler. He asked me whether I could see Deitzler for him, and get a statement from him in regard to it. I replied that I had heard the story before I left Kansas, and had had a conversation with Deitzler, in which he stated positively that he knew nothing about it. "That," said Lane, "is all I want him to say. It is all he can say." He showed me an affidavit from Perry Fuller, who was one of the contractors with Deitzler, swearing that Lane had no interest in any contract whatever, to his knowledge. Col. Deitzler made the following statement:

LAWRENCE, KANSAS, JUNE 18, 1866.

MESSRS. PERRY FULLER & Co., Lawrence, Kansas.

GENTLEMEN: In reply to your letter of the 16th inst., I have to state that I have no personal knowledge that Senator Lane received from the firm of Fuller & McDonald twenty thousand dollars, as charged in the Chicago Tribune of the 5th inst., nor any greater or less amount.

Very respectfully,

G. W. DEITZLER.

Soon after this interview, he returned to Lawrence, Kansas. I saw him there. I rode around the city with him: and he expressed great interest in the town, saying, "A town with seven churches ought not to go down." He started for Washington. In a day or two, the Missouri Democrat (now the Globe-Democrat) published a statement that he had stopped at a hotel there,

and that there were serious reasons for fearing that he was threatened with softening of the brain. He returned to Leavenworth, and went to the Government farm just outside of the city, which was superintended by his brother-in-law, Mr. McCall. Being in Leavenworth, I went at once to the farm to see him. As I approached the farm, Col. Nicholas Smith (who afterward married Miss Ida, the daughter of Horace Greeley) was going after Rev. Mr. Leonard, a Methodist minister, and told me Lane was deranged. Lane stood in the doorway as I walked up to the house. I jokingly told him I heard he was dangerously ill; but I could see he was worth a dozen dead men yet. He said: "The pitcher is broken at the fountain. My life is ended; I want you to do my memory justice; I ask nothing more." I tried to encourage him. I offered to stay; but seeing I could do nothing, I returned that night to my home at Lawrence. That was Friday afternoon. The next Sunday (July 1, 1866) he committed suicide. He was passing over the farm in a carriage with Mr. McCall and Mr. Adams. As they got out to open a gate, he got out, too, and saying, "Good-bye, Mac," he drew a revolver, fired a ball through the roof of his mouth, and fell. The bullet came out just a little to the left of the center of the cranium. From then till death, he remained in a comatose condition. Once, he recognized and named Josiah Miller, and at another time, he named William A. Phillips, who was not present.

I think he had suicidal tendencies. Just after the

Lawrence massacre, I was riding with him, when he pointed to a log, behind which he said he was concealed, and told me that three of the men engaged in that massacre passed closely by him. Then, opening a delicate penknife, with one small blade, he placed the point of that little blade immediately over the ball of one of his eyes, and said: "That was the only weapon I had; and as I knew, if they captured me, they would torture me to death, I intended to thrust that little blade up into my brain to escape torture."

I do not believe there ever was any evidence of his being complicated in that contract. An overworked man, reason dethroned, he took his own life. There is nothing strange about such a man becoming insane. The instances are numberless—some running to violence upon their best friends—some to suicide.

CHAPTER XXVII.

CONGRESSIONAL EULOGIES UPON HIS DEATH.

The limits the writer has given himself in this work will not allow of lengthy extracts and speeches ; but a portion of the remarks upon his death, from the stand-points of men differing with him politically, must be interesting. I will not quote the speech of his colleague, Senator Pomeroy, or of Kansas' sole Representative, Hon. Sidney Clarke. They would be considered matter-of-course expressions by many. But, even in death, the most positive opponents of the cause which enlisted the bitterest antagonism would not be expected to eulogize him without merit ; nor could they be expected to stultify themselves by justifying him in his eminent work which went not only to dethroning slavery, but to hurling themselves out of power in the annihilation of their party's supremacy. The following speech from Hon. Thomas A. Hendricks, Senator from Indiana and Vice President of the United States, will be read with interest, alike in defense of his honor as a Senator and his gallantry as a commander in the Mexican war :

From the Congressional Globe, July 18, 1886:

Mr. Hendricks. Mr. President: Amos Lane, the father of James H. Lane, was a distinguished citizen of the State of Indiana. His professional learning and force as a public speaker placed him among the able lawyers of the State. He was prominently connected with the early legislation of the State, and contributed to the establishment of our system of laws. For four years he was a Representative in Congress, and took rank as an able debater in that body.

James H. Lane was born in the county of Dearborn, in the State of Indiana, on the 22d day of June, 1814, and that continued to be his home until 1855, when he identified his fortunes with the people of Kansas. He was educated for the bar, but did not long devote himself to the labors or pursue the honors of the profession. When the country became involved in the war with Mexico, he was among the first to respond to the call for troops. His rare energy of character was displayed in the restless zeal with which he prosecuted the work of raising and organizing the Third Regiment of Indiana Volunteers. By the choice of the companies, he was made the Colonel, and placed in command of the regiment.

That regiment was made up of the young men of Southeastern Indiana, and was composed largely of the sons of the farmers; and in it were many of my youthful associates and friends, many whose friendship and esteem I yet cherish; and I think I am justified in saying that in every soldierly quality it was entitled to rank with the first and the proudest. Its fortunes became to me a subject of great interest, and from the day of enrollment to the day of discharge, I listened for every report of its gallant achievements, and was very proud of the great name with which it came out of the service. The art and science of war had been neglected in the State of Indiana, and the officers and men looked to the Colonel for the care necessary to their comfort and safety and the discipline which made them formidable to the enemy. Under his command the regiment soon attained a high rank for its skill and discipline.

I need not speak of the battle of Buena Vista; of the great disparity in the numbers engaged; of the importance of its results, **not only in holding the line of the Rio Grande, but perhaps in saving the**

army; of its decisive influence upon the fortunes of the war, and of the glory it shed upon our arms, for these are all known; but I cannot omit saying that, upon that rough field, the Third Indiana occupied positions of greatest difficulty and responsibility; that it was borne upon by heavy forces of infantry, and dashed against by long lines of cavalry, and that in all the changing fortunes of the day it was neither broken nor bent. Col. Lane and the regiment were honorably mentioned in the report of the commanding General.

After the discharge of the Third, Col. Lane organized and commanded the Fifth Indiana regiment, which was composed largely of his discharged veterans. That regiment rendered valuable service, and was discharged with a character highly honorable and gratifying to its commander. Colonel Lane was kind toward his men, careful of their wants, generous toward his subordinate officers, yet strict in his discipline, and enjoyed both the affection and confidence of his command. In the enemy's country he was vigilant and active, and upon the field of battle cool, sagacious and brave.

Upon his return home, Col. Lane was chosen by a large vote Lieutenant Governor of the State, and in 1852 was elected to Congress from the same district which his father had represented nearly twenty years before. He did not participate largely in the debates, and his service in the House was not specially marked. He supported the administration of President Pierce, and upon its passage voted for the Kansas-Nebraska bill. I will not add to what the Senator lately his colleague has said of his eventful life after he left the State of Indiana. The estimate that may be put upon much of his conduct while he was connected with the border strife must depend upon the standpoint from which it is viewed. His character was not obscure, nor his conduct concealed. His virtues and his faults were alike conspicuous, and will now remain as models for imitation or beacons of dangers to be avoided.

His ambition and passions were imperious, and his will dominant, so that, defiant of opposition and popular opinion, he pursued his objects with an energy and force that wrung success from adverse circumstances and reluctant fortune. He was not endowed with high powers of argument, nor with cultivated imagination or elevated sen-

timent, nor did he possess in a high degree the command of our language, yet the form and impulse of his nature, sometimes carrying him to the verge of frenzy, made him a public speaker of great power and a formidable revolutionary leader. Implacable toward his foes, he was generous toward his friends and untiring in his efforts to serve them.

I think it proper on this occasion to say that on the evening before leaving this city for his home, he sent for me to examine some documents which he had obtained for his defense against a recent charge that he had received money* for his services in connection with some Indian business. Upon examination of the papers, and as I understood the case, I thought his vindication complete. I have understood that upon a like examination my colleague arrived at the same opinion.

It was a sad communication to each one of us, when we were told that one of our number was in the hands of death. In whatever form that messenger from another world may come, he strikes us with awe and terror; but his presence is never so appalling as when he lays his destroying hand upon the human intellect, enthrones distraction, sets the faculties at war, and proclaims

“Mischief, thou art afoot—
Take thou what course thou wilt!”

An active, perturbed spirit has gone from our midst, and from this saddest permission of Providence we are admonished of the frailty of the human intellect, of its inability to preserve itself, and of its strange and unnatural action when broken loose from the lines prescribed for its government.

The following address from the Republican Representative from Lane's Indiana district, (Mr. Farquahr,) is significant in the fact that he was the opponent whom Lane so triumphantly “laid out” when he was elected to Congress in 1852, and by whom Lane was in turn defeated in 1854, on the Kansas-Nebraska bill question:

*This refers to the charge in the Chicago Tribune. No proceedings were ever had on it in the Senate.

From the Congressional Globe, July 18, 1866, page 3915:

Mr. Farquahr. Mr. Speaker: As the Representative of the Fourth Congressional District of Indiana, I arise to respond to the announcement of the death of Senator Lane of Kansas under circumstances both painful and embarrassing. It was in the district from which I come that he was born and spent the years of childhood and early manhood. It was there that the pioneers knew him as the prattling child, and their offspring as the associate of the festive board and comrade in arms, as they bore triumphantly our "starry banner" to the capital of a sister Republic. It was there his happiest days were spent, under the influence and benign care of a pious Christian mother and the unrestrained society of his highly educated and accomplished sisters that the gentler qualities of his iron nature were cultivated and developed. It was there that he first gave evidence of those remarkable powers of endurance that enabled him to successfully compete with all opposition in whatever field of enterprise he embarked. It was there that he first drew his maiden sword and led to the field the stalwart comrades in arms who won with him at Buena Vista their full share of the imperishable glory of that hard-fought field. It was there that he developed in repeated contests his acknowledged pre-eminence as one of the most successful political debaters of the age, who never made a canvass but in triumph.

Senator Lane was born at Lawrenceburgh, Indiana, in June, 1814, and was the son of Hon. Amos Lane, who represented that district in the Congress of the Republic. His father was widely known as a prominent Democratic politician of Indiana, and a successful lawyer of more than ordinary abilities. It was in the bitter contests of the old Whigs and Democrats, in which his father took a conspicuous part, that the Senator, then a youth, became inspired with the love of politics, which in after years fashioned and moulded his character, habits and actions, culminating in eminent success and calamitous death. Senator Lane was emphatically a man of the people. With the politicians he never was popular, but while in Indiana sustained successfully a war for pre-eminence with those of his own party. With the people he was a great favorite and successfully enlisted them in his behalf in every contest in which he participated, and

served as Lieutenant Governor, Senatorial Elector, and as Representative in the 33d Congress, from my State.

It was not his forte to inaugurate and mature the policy of his party, so much as to study and follow the lead of the people, and thereby, seemingly, at least, become the champion of their favorite measures. He was a bold, fearless and successful advocate of whatever cause he championed, and the friends of human freedom, on the western border, have lost an able leader in the great cause to which they and he showed so much devotion and made so much sacrifice. He was a self-made and self-reliant man who scorned dependence on others, appreciating, if not boastfully, with confidence the sentiment:

“Thy spirit, independence, let me share,
Lord of the lion heart and eagle eye,
Thy steps I follow with my bosom bare,
Nor heed the storm that howls along the sky.”

As a military leader, he was beloved by those who served under him. In Mexico, and especially at Buena Vista, in command of the Third Indiana Infantry, he won with those under him imperishable glory as, in the last charge of our enemy on that to them fatal day, his regiment did invaluable service on their flank, while the grape of Captain Bragg arrested their desperate charge in front.

.

The devotion of the men who served with him in Kansas attests his services to that noble young State. He fought its battles, shared its fortunes, served its people, and received its honors. His restless spirit is still forever, and that iron form so familiar to his associates in the camp, the Senate chamber, at the bar and at the social board, reposes beneath the soil of his adoption that he defended so well. Would that it had gone out differently, in the fore front of battle, with armor on and victory perching on our banners.

Mr. Niblack. Mr. Speaker: I feel that I ought not to allow this occasion to pass without saying a few words.

Mr. Lane's ancestors, like mine, were among those who first penetrated the wilderness of that region of country which has since become the great State of Indiana; and although my personal acquaintance with him did not commence in early life, yet I have had

with him for many years an agreeable acquaintance and pleasant personal relations.

I have been associated with him in legislative positions which have brought me more or less in contact with him. My first personal acquaintance with him commenced in the year 1849, at the time when he was inaugurated as Lieutenant Governor of the State of Indiana. I was then a member of the House of Representatives of that State for the first time. The year following I was elected to the Senate of the State, of which he was the presiding officer by virtue of his position as Lieutenant Governor of the State. I served as a Senator during the remainder of his official term. Before that I had only heard of him as the gallant Colonel of two of our favorite Indiana regiments, and I only knew him by reputation. My acquaintance with him continued until the time of his death. Although I was never personally intimate with him, our personal relations were always kind, and differing, though we often did, the exciting questions which had occupied the public mind since that time never disturbed our kind relations.

I can say, and say with truth, that Gen. Lane was, in all the relations of life in which I knew him, a marked man. He was not a learned man. He was not so cultivated as others; but he was a man of strong will, of great force of character, of indomitable energy, and of high ambition. He always became a central figure in any movement in which he was engaged, and he always bore a prominent part in any enterprise with which he connected himself. As a political leader, although apparently bold and reckless, he was in truth a discreet and prudent man. I always conceived him cautious in devising his plans and mapping out his future life, but bold and resolute in the execution of his plans, never deterred by any dangers which seemed to threaten him personally or by any consequences which might result to him. From what I knew of him, I could not regard him in any other light than as a man of both physical and moral courage.

As a military leader, his courage, I presume, is unquestioned, and the other conflicts in which he engaged, and which have been spoken of here to-day, I think sufficiently establish his reputation as a man

of moral courage. It is not my purpose to refer to the scenes which have been portrayed by the gentlemen who have preceded me. They take one view of those questions, and I, perhaps unfortunately to myself, take the other view. But while thus advocating these other views, and differing from General Lane as I have done, I am not the less willing to bear testimony to those traits of character which have made him so prominent in the political history of the country for the last fifteen or twenty years. As I have remarked, he was a man of ambition. He struggled hard to obtain that political prominence and power and influence which in the later years of his life he possessed. After years of unremitting struggle, after passing through one of the most remarkable contests in the history of this country, he succeeded in obtaining a position which gave him influence and power in the councils of the Nation. He became a member of the Senate of the United States, and was continued for many years preceding his death in a position which many of the best minds of the country have been willing to devote a large share of the best portion of their lives to attain—a position that would gratify the ambition of most men.

Possessing so much, therefore, that would seem to have endeared life to an ambitious man, the struggle must have been a fearful one, the despair must have been terrible, which induced him to lay violent hands upon himself and become the destroyer of his own life. Of all the forms in which death can come, none is so mysterious and terrible as the one by which his life was closed. It is hard for us to conceive that one so gifted, and occupying so exalted a position, should grow so weary of life. But by his own act, he has passed away from among us. As has been well remarked by the gentleman from Kansas, [Mr. Clarke,] it is our duty, a duty which ought to be strictly observed, to draw the veil of charity over all his faults and failings, and the misfortunes, whatever they may have been, which darkened the close of his career.

As a citizen of the State of Indiana, before he emigrated to the far-distant Territory, he was already a marked and distinguished man; and in the great struggle of life through which he has passed, he has given evidence of some of the highest traits of manhood. Indiana

cannot be insensible to the great loss which Kansas has sustained in his death. I therefore bear my willing testimony to much that has been said in his behalf by those who have preceded me on this occasion. As a citizen of Indiana, I have to express my profound regret at the sad termination of so active and eventful a life as his has been. I very heartily second the resolutions which have been offered.

The speech of Senator Hendricks, the reader will observe, so far as his conduct in the "Border Ruffian war" is concerned, is made with all the diplomatic caution of a statesman anxious to do justice to the many Mexican war heroes then still an important element in politics, and at the same time give no offense to those more important political elements the "butternut" sympathisers of Indiana and the entire ex-rebel soldiery and citizens of the South, so powerful an auxiliary in his aspirations to the Presidency, an ambition in which he was halted by Cleveland at the half-way house of the Vice Presidency. He sailed through that Scilla and Charybdis of politics with the master mind and wisdom worthy of his greatness. Representative Niblack had the same motives with less ambition. Even the Republican Representative (Mr. Farquahr) did not care to offend without absolute necessity the sensitiveness of many people of his State in anything that would have reflected upon Indiana's chivalry on the field of Buena Vista.

The writer cares nothing about such considerations; and the truth of history justifies him in saying that what was the disgrace of Col. Bowles' regiment became the crowning glory of Lane's achievements. An officer participant in the battle of Buena Vista, an eye-witness,

shortly after told me personally of the opening of that engagement. As Capt. Bragg stood for orders, Gen. Taylor rode up and gave the command: "Capt. Bragg, unlimber!" "They will take my pieces, General, if I do," modestly suggested Bragg. "They will take them anyhow, by —, sir! Unlimber!" Only the cannon's flash that followed was quicker than obedience to the order; and Gen. Taylor's further commands, rather milder, perhaps, "A little more grape, Capt. Bragg," became the shibboleth of the triumphant Whigs in his elevation to the Presidency. When Gen. Taylor's Kentucky pets seemed to falter in that hell of fire, but recovering, Old Zack, raising himself in his saddle, and, as if in soliloquy, exclaimed, "God bless Old Kentucky!" then it was that the — Indiana faltered, its Colonel fled, and Lane rushed in, and as Farquahr describes it, that "lord of the lion heart and eagle eye, * * his bosom bare," rallied the demoralized and shattered remnants of Bowles' command, restoring partial honors to his regiment, and forever immortalizing himself and the Third Indiana. That Buena Vista hero and Kansas patriot, W. I. R. Blackman, in describing the scene as he knew it in the din of battle and at the campfire, enthusiastically declared that Napoleon at the Bridge of Lodi was not more heroic than Lane at Buena Vista.

CHAPTER XXVIII.

GLIMPSE AT EVENTS—LANE'S ACTS AND CHARACTERISTICS.

I once met in a stage-coach an intelligent, liberty-loving Swede, who had just arrived, but spoke English with considerable accuracy. Hearing that I was from Lawrence, he said: "Gen. Lane lives there?" "Yes. What do you know of Lane?" "I read of him in Sweden." "In documents or papers from this country?" "Some; but I read his Springfield [Mo.] speech in the Stockholm Journal." That speech notified Missouri slaveholders that no slaves would be returned, and ended up by saying that "if the army is to be used to perpetuate slavery, Jim Lane breaks his sword and goes home."

The shot fired at Lexington when Paul Revere dismounted was heard around the world. The speech of Lane to Missouri slaveholders resounded at least as far around the world as Sweden.

He was the advance herald in favor of taking slaves out of the fields of rebel supplies and putting them in the battle lines of loyalty. Grant did that in the Wilderness, Thomas did it in Mississippi, and Sherman did

it from Atlanta to the Sea ; but Lane was the Columbus with the egg, who, long before, broached the idea in the Senate, and organized the colored troops in Kansas.

His campaign in Missouri was the result of the Border Ruffian war made upon Kansas in its helpless infancy. He led the " Kansas Brigade " into the very region which had poured its legions into Kansas, overawed her inhabitants, stuffed her ballot-boxes, sat in her legislative halls, and made her laws. That revenge might be taken by some of his soldiers would be natural. The men on the border who had invaded every locality in Kansas, and under the plea of " pressing property " to sustain a code more infamous than had ever been enacted in any slave State, stole their horses, appropriated their goods, and murdered their kindred, and were then in rebellion against the American Union, were not a class of people to secure the highest tokens of consideration and sympathy. The army would be more than human from whom we could expect that. In their forays upon the Kansas border, bushwhackers and guerrillas had massacred more men than were killed in battle in proportion to the adult male inhabitants.

The Kansas Brigade protected the people as long as Lane had command. He repulsed Gen. Price's raid at Drywood, near Fort Scott, when Price had five times as many men as his number of well-drilled soldiers.*

* Major W. N. Ewing, now of Wichita, Kansas, but then a young man in Gen. Price's command, informs me that Lane made a masterly demors ration of force, and for a time rained lead down on them terrifically.

It was a master-piece of strategy, wherein he marshaled his entire force as his advance guard, the very boldness of which led Price to believe that he had a competent army in the rear for his support. Any other policy would have left Fort Scott to death, destruction and pillage, and all the surrounding country to more than the usual calamities of war. He commanded a brigade without a commission, and subsisted himself without pay; no oath to serve his country or to obey the constitution was ever found. He stood between his beloved State and all danger. His men literally "swore by old Jim," obeyed him and loved him. Gen. Fremont was his superior, but he consulted rather than commanded him.

A prominent man told me of a perilous trip of a hundred and fifty miles through the enemy's country, and said no words could express the rejoicing of his heart when he neared Pleasant Hill and beheld the American flag floating over the town. As he registered, he remarked to the landlord that he observed by that flag that they had a Union town there. With an oath he replied, "By no means." "What, then," said the traveler, "does that flag mean?" "It means that Jim Lane raised it, and gave notice he would burn the town if it was disturbed." That was true. He halted his command in line, and ordered details of men to bring into his presence the leading men of the town. The order was imperative. There were bayonets behind it. They came. His address was short: "Men of Pleasant Hill, I have sent for you. I know you. You are rebels

against your flag and your country. Look upon that starry banner, which I have just floated over your heads, and listen to me. I have no men to spare to protect it. That flag is more precious to the American heart than all the property you possess. I shall return again ; and if you allow a rebel hand to touch that flag, Pleasant Hill will go up with the torch as sure as there is a hell ! March !” The flag floated over that town as long as Lane was in the field.

Col. George W. Veale, who was in Lane’s command, tells me that he witnessed that scene. He says : “The order was given to go into the bottom lands and cut the longest tree to be found ; and the flag was nailed to it, with no halyards to lower and raise it ; and the command, marching back and forth, saw and cheered that flag until the elements wore it to shreds, and the bare pole stood as a witness of the loyalty and gallantry of the men who raised it. Jim Lane loved his State and his country, and was as true a patriot as ever lived.”

Col. Veale’s regiment was in the hottest of the first battles of the border against Price. With the experience which he went through in Lane’s brigade, and his knowledge of Lane at the front in the Price campaign, he would be pretty apt to entertain such opinions.

Major Thomas J. Anderson, who was on Lane’s staff, a man whose honor and gallantry were never disputed, says : “Never forget the flag-raising at Pleasant Hill. It is the only instance in history of protecting a Union flag with a rebel guard. That caustic treatment not

only protected that flag, but saved many a soldier's life in that country then swarming with bushwhackers. Lane's actions were honorable and heroic."

Hon. D. W. Wilder, Surveyor General, State Auditor, author of the *Annals of Kansas*, etc., thus epitomizes Lane's character: "Marked things about Lane: He kept his promises; very few men are so faithful to friends. He did not love money; was not in jobs; was not corrupt. His capacity to lead: He made friends who flocked around, followed and obeyed him, and enjoyed doing it. He could not visit a hamlet without being surrounded by devoted friends."

It is not necessary to refer to the raid on Lawrence to prove what we say of the desperation and barbarity of that part of Missouri in the periods preceding the war. The acts of Gen. Thomas Ewing—and acts speak louder than words, but we have both words and acts to fall back on—sustain us. His words are those of the celebrated "Order No. 11," in which he set forth his reasons for his acts. In that order he designated depots for the storage of the goods and chattels of loyal men, and commanded them to come before him with proofs of their loyalty, and receive his protection; and the further notification, that all men who did not do so should be treated as public enemies, captured and imprisoned or otherwise punished as their crimes should deserve. Nothing but the unparalleled wickedness of the men who infested the Snibar hills and other fastnesses of that district could have justified such an order. Neither Sherman in his march from Atlanta to the Sea, nor But-

ler at New Orleans, exceeded it in severity ; but it was a just severity, conscientiously administered by a just man. It was the extreme of humanity compared with the fiendish slaughters concocted and carried out by the community which it punished.

Perhaps if we refer only to the preservation of human life and property at the time, Lane's action in the Price raid was the greatest effort of his life. His early actions in defense of Kansas, both in acts of incipient war and oratory, did more in staying the destructive march of slavery, in the attempt to make it national—to use the language of Toombs of Georgia, to enable him to call the roll of his slaves under Bunker Hill monument—were greater, because a triumph of slavery then might have been lasting beyond estimation in its results.

Lincoln had tested and trusted Lane. He knew his capacity in the forum and on the field. He placed his life in his hands with his camp within sound of his voice day and night in the East Room of the Presidential Mansion. No man in the Union—at least in any loyal State—was given such powers. He gave him almost exclusively the appointing power of Kansas, military and civil, even overriding the Government of the State to do it. Gen. Wilder well expresses the fountain of his power: "He made friends, who flocked around, followed and obeyed him, and enjoyed doing it." Vice President Hendricks said the same thing less pungently. That expresses it all. He took command of the troops who were proud to be called Lane's Brigade, and though

he had no commission, they would have no other commander. President Lincoln authorized him to raise and organize five regiments, and to fill all the offices. So far as the two regiments of colored troops were concerned, he had no written order; but he had the personal promise of the President that he would see that they were clothed and subsisted until colored troops should be recognized as soldiers in the armies of the Nation; and they were so subsisted. Whether this state of facts was known or suspected when an effort was made to take some colored men out of Captain William H. Smallwood's company by writ of habeas corpus, I cannot answer. It is as unnecessary to discuss reasons for the bestowal of such power as it is to write a homily in defense of the character and integrity of Abraham Lincoln. The world will be satisfied he knew enough of them to warrant him in the trust he had confided. Faith in the combined honesty and ability of the President and War Secretary are not subjects requiring further proof of their wisdom. The justification of their acts, as well as the acts, have passed into history.

Gen. Lane was one the most sensitive men I ever knew; but his wonderful will-power enabled him to conceal his emotions. In the campaign of 1864, his despondency alarmed me. He was at Leavenworth, where, owing to the nomination of Hon. Sidney Clarke over Hon. A. C. Wilder for Congress, the whole city seemed against the Republican ticket. I found Lane at the Mansion House in bed, in the middle of the day, in

despair, declaring that the best he could do was to go to work specially for members of the Legislature. I tried to rally him, denouncing him for his weakness, and telling him that if his opponents knew his despondent condition, he was already defeated; but that we had just had a most successful meeting, filling Laing's hall and overwhelming all opposition—not an Anti-Lane man venturing to interrupt us. I told him that our candidate for Governor, Samuel J. Crawford, was a gallant soldier who would rally the army boys, and that Mr. Clarke's apparent want of strength was not so much his weakness as the local attachment to Wilder, which was being rapidly overcome. Still his melancholy was appalling, even to aberration of mind. But the advance of Price's army against Kansas revived all his energy, and he made two of the most remarkable campaigns on record—one in the army against Price, and the other on the stump in every city and hamlet in the State.

Lane entered the arena of politics and war at the turning point of despotic power—the two went together—the Big Springs convention and the Wakarusa war were but two months apart. The first was political, but it uttered the first shout of war when it declared that the people would depend upon argument as long as hope of success was reasonable, but would “resist to a bloody issue” when hope in peace was lost. Lane advocated the resolution in his committee, and Governor Reeder, in speaking on it, announced that we would sustain it “with the steady arm and the sure eye.” In the elements of war

we were as children inexperienced. The people came for peace—their enemies for war. No military organizer was among us. Half our territory was an imaginary line between us and our enemies—the other half was the Missouri river. In sight of our shores were twice as many men who fought under Col. Doniphan in the Mexican war as there were in Kansas who had ever seen a hostile gun. Never had a dozen of our men stood in the ranks of battle here till Lane gave the word to “Fall in!” Twice had we been trampled on at the polls, and tamely submitted. He leaped into the breach at as important an epoch to Kansas as was the appearance of Blucher to Wellington when he emerged from the woods at Trichemont in the Battle of Waterloo. There was more at stake—the freedom of man; the perpetuation of republican government, and the advancement of the world’s civilization. The Big Springs resolutions and Lane and his men in the Wakarusa war were to the American conflict what the Mecklenburg resolutions and Marion and his men were to the Revolution. The enemy came with 1200 men, and the 600 Free-State men organized and disciplined by him confronted them, cowed them, compromised and settled, through Gov. Shannon; and finally threatened disaster was terminated by Lane following the remnant of them that wanted to fight until they retreated into Missouri; and he continued the terror of all the hostile country till the war was ended. What was Kansas when he entered the arena? It had less than 15,000 inhabitants. The regions where are

now Marysville, Salina, Council Grove and Emporia, were the extreme of attempted western settlement, as was the region of Humboldt on the south; and within these lines hostile Indians made raids; while on the east were white men as barbarous as the Indians when the shibboleth of "abolitionism" was pronounced.

Lane led no mercenary bands. They may have entertained chimerical ideas. But no more intelligent, upright, honorable men ever fought in a good cause than the masses of the Kansas soldiers in the Free-State campaigns and the armies of the Union. They were the men before whom that greatest of American statesmen, William H. Seward, in his great speech at Lawrence, in his eloquent peroration, exclaimed—his gestures more eloquent than his words—"I bow before you, people of Kansas, as the most intelligent and the bravest and the most virtuous people in the United States."

NOTES.—At page 149, we have stated that Hon. Frederick P. Stanton Governor of Kansas Territory in 1857--8, brought three slaves to Kansas. This is incorrect. His daughter, Mrs. Laura Stanton Moss, of Topeka, informs us that he had no slaves then nor for a long time before he emigrated to Kansas.

The writer, recognizing his own imperfections, cannot refrain from gratefully acknowledging his obligations to Hon. F. G. Adams, of the State Historical Society, and all his assistants; to that distinguished printer, Mr. Edward P. Harris; and to Hon. D. W. Wilder and his inestimable Annals, for valuable assistance.

The author is indebted to Mr. Frank L. Hines, a prominent designer of Denver, for the etching on the cover of this book.

The drawings for the illustrations were made by Mr. Adam Rohe, of Lawrence, except that of "The Homicide of Gaius Jenkins," which was made by Miss Church, of Topeka; and the engraving was executed by Teachenor-Bartberger Engraving Company, of Kansas City, Missouri—all of which are admirably done.

For verification of the statement that I was indicted for treason, referred to on pages 81, 82, 83, of this book, see speech of Hon. James F. Legate, one of the Grand Jury, in Kansas Memorial, page 62.

APPENDIX.

CHAPTER XXIX.

ADDENDA ON THE DEATH OF GAIUS JENKINS.

In this work, I have devoted more space on CHAPTER XIV, on "The Homicide of Gaius Jenkins," than on any other chapter in the book. I have also taken great pains to get all the exact facts. In that chapter, page 204, I have said ;

Not only did these four men [Jenkins and his accomplices] cut down the fence of his [Lane's] own dooryard, but they advanced to within a few steps of him, and fired the first shot, wounding him so severely in the knee that for several days he had to remain in his house before trial, in danger of his life by tetanus and blood poisoning.

Dr. Alonzo Fuller, the able surgeon who attended him, was dead, and my own statement stands there unsubstantiated. By the merest accident, I have since met in Kirksville, Missouri, four prominent participators in the scenes of those times who were eye-witnesses of General Lane's condition immediately after this distressing occurrence. They agree in the statement made, that Lane was shot by one of Jenkins' men, and add that they saw him just afterwards, the same day. These persons are :

Maj. James B. Abbott, of De Soto, Kansas, (now dead;) Dr. Andrew T. Still, of Kirsville, Missouri; Dr. Thomas C. Still, of La Panza, California; and Mrs. Mary Still Adams, of Los Angeles, California. Major Abbott has been known to all Kansas people for forty-three years as a man of the highest character, and the last three named were as well and as favorably known for the first twenty years as among our most intelligent and upright citizens. Rev. Dr. A. Still, the father, was a missionary among the Shawnee Indians before white settlement, a divine, a patriot and a philanthropist; and his entire family were physicians of intelligence and ability. All these persons attest to the truth of my statement, each one of them having ministered to General Lane in his dangerous condition. Dr. Andrew T. Still, the elder, was called in immediately after the occurrence as counsel with Dr. Fuller, as well as an intimate friend and co-worker in the Free-State cause. He assisted in the surgical operation, and probed the wound, discovering that the ball passed up the thigh several inches. He was first lieutenant in the military company of which Abbott was captain, was on the most intimate terms with Lane in his command, and afterwards a surgeon in the volunteers under him in the war of the Rebellion. He was also identified with all the movements of the times, in connection with Lane, John Brown, and the early pioneers in the Anti-Slavery cause. At the very first opportunity to elect any Free-State candidates, Dr. Still was elected to the House of Representatives, (in 1857,)

in which he served with distinction, the writer sitting by his side in that distinguished body, which gave the finishing stroke to slavery in Kansas; and he is now at the head of one of the most prominent scientific institutions of the West, entitled "The American School of Osteopathy."

CHAPTER XXX.

LANE AND ARMY CONTRACTS.

Since the publication of the first edition of the Life of Lane, I have had many conversations with leading men, eliciting quite a number of interesting reminiscences. Perhaps among the most valuable have been given in two interviews with General James L. McDowell, now, in the decline of a useful life, residing on a farm near Manhattan, Kansas. As General McDowell had been quoted as able to give much light upon the causes leading to Lane's death, and especially as he had been cited as being able to demonstrate, by facts in his possession, that Lane had been complicated in dishonest transactions in government contracts, I have taken pains to gather from him anything leading up to the truth in regard to the sad circumstances of his death. It may be proper to premise, that if Lane was so sensitive as to destroy his own life over charges of interest in contracts while a Senator, he has demonstrated a more sensitive nature than attaches to several other Senators who have been lampooned in the press of the country on similar

charges. Basing this suggestion upon the indisputable fact, that no official charge was ever made in the Senate, or in any other body, or by any court or official, in the many positions, civil and military, with which he had been honored, he had a remarkably honorable official career.

To understand this, we quote from a published statement, never given till long after his death, attributed to General George W. Deitzler, who, in response to an earnest appeal to furnish the groundwork for such an assault, is reported as saying :

Now the cause which led to the Grim Chieftain's flirtation with his little pistol would form an interesting chapter in his infamous career, and I am perhaps better posted on that subject than any other person ; and while the task is very distasteful to me, I am almost persuaded to regard it as a duty, and furnish the groundwork for you to dress it up, when you shall have reached that point in your recollections of those times. I will do it, upon the following conditions : First, it must not go in as coming from me ; and, secondly, before it goes in, you must get Gen. McDowell's endoresment so far as he is cognizant of the facts in the case.

To these grave accusations, McDowell stated to me, that he had called upon Deitzler, at Lane's request, and urged him to relieve Lane from any injury by reports which both Deitzler and McDowell knew to be unwarranted by the facts ; that Deitzler admitted that he knew nothing warranting the charge ; but the accusers " had got the old scoundrel down, and would oust him from the Senate, and he could get no help from him." General McDowell assured the writer that Deitzler made no

pretense that that particular charge was true ; but, at the same time, he was very bitter in his animosity to him, and expressed in a vindictive manner the hope that he might be impeached and removed from the Senate.

The conditions on which General Deitzler was to expose him, twenty years after Lane was dead, if the quotation is correct, are the most reprehensible that the malignity of the human heart could invent. " It must not be known as coming from me," and " before its publication, Gen. McDowell must endorse the charges"—the dead man's reputation must be assaulted, and the assassin must escape the responsibility !

What General Deitzler did say, at the time, is correctly stated in this book, page 314.

General McDowell's estimate of Lane to-day, is, that he was one of the most useful and patriotic men of the era in which he operated.

General McDowell was a conservative man, sometimes co-operating with Lane and sometimes opposing him, as his judgment dictated ; and it is this that makes his present vindication of that distinguished patriot, soldier and statesman invaluable.

CHAPTER XXXI.

MORE ABOUT THE WHITE-HOUSE ENCAMPMENT.

The first armed men against the Rebellion at the capital were the Frontier Guard, which encamped in the East Room of the Presidential Mansion, under Senator Lane. Since the first edition of this work was issued, we have collated some facts in regard to it, which constitute a counterpart to our chapter at page 234. They thought only of defense of the Nation's Chief, and preserved no records. We have been only able to collate 41 out of the 160 in that distinguished command.

Through the kindness of Hon. Wm. Hutchinson, we are now able to add to our former list of these distinguished patriots, (see page 241,) the following names, furnished by Col. D. S. Gordon, U. S. A., who was one of the Guard, with the rank of first sergeant: John T. Burris, Olathe; John P. Hatterscheidt, Henry J. Adams, M. H. Insley, D. H. Bailey, Geo. H. Kellar, George F. Warren and D. A. Clayton, Leavenworth; J. W. Jenkins, Turner Sampson, George Bassett and Samuel F.

Tappan, Lawrence ; Robert McBratney, Junction City ; W. W. Ross and S. W. Geer, Topeka ; Jeff. R. Dugger, residence unknown ; Philip C. Schuyler, Burlingame ; J. A. Cody and J. B. Irvin, Doniphan county ; Thomas Shankland, residence unknown ; Samuel C. Pomeroy, Atchison ; Charles de Vivaldi, Manhattan ; A. Danford and Jared Phillips, Miami county.

Col. Samuel F. Tappan says of these heroes : " It is truly a roll of honor, of which Kansas has every reason to be proud, the first of the defenders of our flag and land." Col. Gordon says : " You can rest assured this is the first organization of men for the defense of our flag and country in 1861."

Among these men was an ambitious youth from Leavenworth, whose name had only been connected with Stockton's Hall in that city ; but that hall was historical with the oratorical triumphs of Jim Lane, and young Job Stockton had partaken of the general inspiration, and hied away to Washington and become a Lieutenant of the Frontier Guard for the defense of the President, and made a history there and thereafter. He was lost to our memory, until, at Yates Centre, Dr. Wharton invited us to go out and visit him. We found him on a fine farm near Toronto, surrounded by an intelligent wife and several interesting children. •

The early days came up, and we made him talk of his encampment in the White House. We learned anew, what we had forgotten : that one night Lane went to him at the Long Bridge, and told him he wanted ten

brave men for a desperate undertaking. They might never return; but if they succeeded, they would return immortalized. A rebel flag had been hoisted a short distance across the Virginia line. He wanted that flag. To take it would require discretion as well as bravery. At once the brave boys volunteered, were accepted, and started. The next day they brought the flag to Lane; and in a few minutes it was suspended across Pennsylvania avenue, with an inscription in honor of the victors, and the whole avenue was crowded with a cheering multitude.

The following night, Mr. Lincoln sent a request to Lane to bring that boy and the flag to the White House. Short speeches were made by Lincoln, Lane and two or three others, commending the patriotism and heroism of the little band. Gen. Scott sat quietly present, when some one asked him if he was not going to say something in commendation of these brave boys. He slowly arose and said: "Young man, the first thing you want to learn as a soldier, is strict obedience to orders. Did I not tell you not to cross that bridge?" Stockton, amazed with fright, replied: "You did, General." "Well, then," replied the General, "you have done a very indiscreet thing. You might have brought on an engagement, and we are not prepared for that. I must say, you are a brave boy; but never, never do the like again."

Among his treasures, Capt. Stockton has a photograph of Lane which is as unique as anything we have seen of

him. The young man had made some headway as a drillmaster, in which he prided himself; and Lane put himself under drill just as any other soldier, and went through all the exercises as any raw recruit. Who can tell whether Lane was drilling Stockton or Stockton drilling Lane? It was Lane's policy of encouragement to the young; and there he stands in a Senatorial suit, with a tall silk hat, and the bayonet of a long gun above his head; and never did a young officer more proudly discharge his duty than Lieutenant Stockton drilling the Grim Chieftain.

CHAPTER XXXII.

ANECDOTES AND INCIDENTS PICKED UP BY THE WAY.

In our travels, disposing of the first edition of this book, every man we met that ever knew Lane had some story to tell about him, some good, some bad, but all of them amusing. A whole book could be made of them.

One of the stories, told a hundred times, with all its variations, will never be better told than by Noble Prentiss. The facts afford one of the best illustrations of the versatility of the genius of Lane under the most trying circumstances that was ever told of any man. It is the story of Grayeyes, the Wyandot Indian. It was Lane's first attempt to address an audience at Wyandot after the homicide of Jenkins. It had been the place of business of Jenkins, practically his home, the sentiment combining love for a neighbor lost in death, in the most exaggerated forms of misrepresentation, with an infuriated spirit of pro-slavery vengeance which alone few other men could have confronted. After difficulty, he

secured a hall, and with no little persuasion, Col. Cobb, a man of iron nerve, consented to preside. The house was crowded. The audience came not to hear, but for trouble—for revenge. A perfect pandemonium of discord followed his first effort the he heard. Knives and pistols were freely exhibited. With firm composure and courage undaunted, he appealed to hear him first and condemn him afterwards, if condemn him they must. The spirit of fairness prevailed; the moment they listened, they were captivated with his presence and charmed with his eloquence; and yells of approval followed his pathetic appeal. But Grayeyes had gone out to nerve his Indian blood with fire-water; and as he returned, without knowing the changed conditions, his yell of "Murderer!" was as savage as ever was shrieked from an Indian onslaught. Instantly Lane exclaimed, "Put that Indian out!" and out he went as if he had been struck by a cyclone!

At Manhattan, we met a prominent gentleman, who served with him in the Mexican war, and he grew more eloquent in praise of his prowess and his kindness to his men than Senator Hendricks and Representative Farquahr in their eulogies in Congress, and told this characteristic anecdote: Lane's regiment was encamped with several other commands on the banks of the Rio Grande, awaiting orders. For some reason, all the other commands got orders to advance, but not a word for Lane; but Lane struck tents and followed. When he overtook Gen. Taylor, he went to his headquarters, saluted him,

and, taking his sword by the tip end, said: "General, I am here without orders. My men are well drilled, in splendid condition, and anxious for service. Do what you please with me!" The General laughed, and said he would send a man with him to show him where to camp.

Hon. Bailey P. Waggener told me, that in the early part of the war, he was a boy, hauling wood to Weston, Mo.; and that one day, the noted guerilla, Upton Hays, made a dash in there, with the understanding that Jim Lane was on the coming train from the East. Weston was then the western terminus of the Platte County railroad, from which all passengers were transferred by ferry across the Missouri river, and by stage by way of Leavenworth, through Kansas. The train came, and the passengers filed by onto the boat; but Lane was not discovered. As the boat steamed out, Hays became satisfied that Lane had eluded his search, and ordered a halt, which being disregarded, he fired a volley into the boat, without effect. When the boat landed, Lane presented himself in full view on the bank of the river, gave them a military salute, walked to the stage, got in, and was driven away.

Hon. A. H. Hurd, ex-Chief Justice of Kansas, tells a good story of his first acquaintance with Lane. Mr. Hurd had been called in as assistant in a suit, where Lane was the opposing counsel. There was a man on the jury panel, whom we shall call Bill, a very positive, uncompromising opponent of Lane. He was a leading man

in anything he undertook. Lane passed him apparently unnoticed. Comments were made on his stupidity, and his client was mortified about it. When he came to argue the case, he referred to this man, and boldly declared that in all his controversies with him he had found him to be an honest man, above reproach and beyond corruption. Bill led that jury for the largest possible award to Lane's client. "Judge," said I, "do you think he set up a job on you with Bill?" "Not at all. He relied upon that man's pride, and swayed him by his magnetic power as if he had been a child." Bill never had been suspected of honesty before.

Hon. Thomas A. Osborn, Governor, Minister to Brazil, etc., told me an interesting story of an attempted assault upon Lane at Elwood. Mr. Osborn came to Kansas as a journeyman printer, but studied law and had just opened an office at that place, when Lane happened there, and offered to assist him in his first case, then in court. He did him good service, and Osborn insisted on dividing his fee with him, which greatly pleased Lane, and led to the formation of a nominal partnership. Soon after, he had an important case, and called in his new partner. A combative pro-slavery man opened the case, and Lane replied, perhaps a little caustic in his criticisms of the points set forth by his opponent, but entirely within the rules of propriety and courtesy. His opponent followed in a bitter tirade upon Lane as an interloper and a meddler. The attack was so maliciously abusive that Lane thought he ought to be

permitted to answer, and the court assented. As Lane commenced. his opponent left the room, and soon returned, with the handle of a big knife projecting from under his vest; but Lane went on in increased severity. Osborn went into his own office next door, slipped a revolver in his pocket, returned and sat down. In a few moments, the pro-slavery man drew his knife and jumped for Lane. Lane, unarmed, thwarted him with his right arm, and kicked him across the room. Just then Osborn gave him the pistol, and he said: "Let him come; I am ready for him." He slunk back, sat down and uttered not a word. But Lane went right on in his remarks; and such an excoriation as that fellow got, Osborn said he never heard from the lips of man.

In conversation with an old friend at Junction City, Mr. Pierce, he recalled a scene which occurred at that place when Lane was organizing colored troops.

Fort Riley, four miles from Junction City, was built under the auspices of Jefferson Davis, during President Pierce's administration; and the object of its construction at that particular epoch in our history, was more to plant and protect the institution of slavery from the countervailing influences of "abolitionism" than for protection against Indians. Col. J. E. B. Stuart was placed in command; and the advocates of slavery clustered around that stronghold, and never let go their holds till sometime after the Rebellion was inaugurated. Even when Stuart had gone into the Confederacy and the rule of Lincoln prevailed at the Fort, there was a

paper at Junction City so blatant against the "Lincoln hirelings," that Lieutenant Gove, in whose honor Gove county was named, went up and scattered it in all directions. It is well-known that Lincoln hesitated long about the use of colored troops, and grave doubts about its policy and success were expressed by numberless hosts of loyal men. In this state of feeling, when it was announced that Lane was coming to Junction City to "enlist niggers to kill white men," dire were the threats against him, and boldly was he defied. Nevertheless, Old Jim was on time. He spoke from a wagon, where now stands as did then the principal hotel of the city. A heroic man, whose name we have lost, mounted into the wagon and presided. Our informant says that his speech was perfectly indescribable in its eloquence, pathos and bold defiance to all opposition. He tampered with no public sentiment against the organization of colored troops. He silenced every disloyal tongue. In the midst of unbounded applause, he broke out in exclamation as only Lane could: "Great God! They say that Jim Lane can't enlist colored troops at Junction City! That is what I am here for. And," said he, taking a paper out of his vest pocket, holding it in both hands, his lips compressed, and his eyes flashing indignation, "I hold in my hands a list of the copperhead, disloyal and rebel element in this community; and when I get through organizing colored troops, I am going to draft these men as cooks for the negro negro regiments!" It is needless to say that there was no riot on that occasion.

In the "House of Seven Gables" Hawthorne says: "These railroads—could but the whistle be made musical and the rumble and the jar got rid of—are positively the greatest blessings that the ages have wrought out for us. They give us wings; they annihilate the toll and dust of pilgrimage; they spiritualize travel! Transition being so facile, what can be any man's inducement to tarry in one spot? Why should he make himself a prisoner for life in brick and stone and old worm-eaten timber, when he may just as easily dwell wherever the fit and beautiful shall offer him a home?"

The Santa Fe Route

GIVES US WINGS!

It is a Kansas road for Kansas people—

Just as integral a part of the State's history as its early-day heroes.

It stands for the development of Kansas.

When you travel on a Santa Fe train, there is a home feeling, which is thrown in with the ticket.

THE LINES OF THE _____

MISSOURI PACIFIC RAILWAY

EXTEND FROM KANSAS CITY

NORTH, SOUTH, EAST, WEST.

ELEGANT THROUGH CAR SERVICE,
_____ CONSISTING OF

PULLMAN BUFFET SLEEPERS AND
RECLINING CHAIR CARS,
SEATS FREE.

DAILY FAST TRAINS

REACHING THE RICH AGRICULTURAL DISTRICT, MINERAL
AND TIMBER LANDS OF NINE DIFFERENT STATES.

PAMPHLETS ON THESE STATES, LAND FOLDERS, ETC.,
FURNISHED FREE, UPON APPLICATION TO ANY OF THE COM-
PANY'S AGENTS.

J. H. LYON,

WESTERN PASSENGER AGT., 800 MAIN STREET,
KANSAS CITY, MO.

C. G. WARNER,
VICE-PRESIDENT.

W. B. DODDRIDGE,
GEN'L MANAGER.

H. C. TOWNSEND,
GEN. PASS. AND TKT. AGT.

_____ ST. LOUIS, MO. _____



World's Pictorial Line.

SERVICE UNSURPASSED.

ONLY DINING CAR ROUTE MISSOURI RIVER TO THE PACIFIC
COAST, PULLMAN PALACE SLEEPERS, PULLMAN DINING
CARS, FREE RECLINING CHAIR CARS, BUFFET
SMOKING AND LIBRARY CARS.

The Original Overland Route

PASSES THROUGH THE

"HEART OF THE ROCKIES"

Amidst the most magnificent Scenery on
this Continent.

ASK YOUR NEAREST AGENT ABOUT IT.

E. DICKINSON,
GENERAL MANAGER.

OMAHA, NEBRASKA.

E. L. LOMAX,
GEN. PASS. & TKT. AGT.

The Best for the Last.

Asia, Africa, Europe, and then America, New England, the Middle and Western States, the rugged Pacific Coast ; then, last and best of all

Southwest Louisiana,

Where is found a most marvelous combination of beautiful prairies, valuable woodlands, navigable rivers, charming lakes, the most healthful climate on the globe, and a soil of wonderful productiveness. It is the best place in the United States now for the Homeseeker, the Speculator, and for a Southern winter home.

The way to reach there is via

“The Watkins Route,”

Kansas City, Watkins & Gulf Railway.

J. B. WATKINS, President,
Lawrence, Kas.

THOS. SAUNDERS, Gen'l Manager,
Lake Charles, La.





i nt
3,00

500.

6150301510

University of California
SOUTHERN REGIONAL LIBRARY FACILITY
405 Hilgard Avenue, Los Angeles, CA 90024-1388
Return this material to the library
from which it was borrowed.



A 000 546 540 6

